

# Application for approval to operate a producer compliance scheme



**Environment Agency**

The Waste Electrical and Electronic Equipment Regulations 2006 (as amended)



Northern Ireland  
**Environment Agency**



An Agency within the Department of the  
**Environment**  
www.doeni.gov.uk

**Please read through this form and the guidance notes that came with it. Please write clearly in the answer spaces.**

### When to use this form

If you want to run a producer compliance scheme, use this form to apply for approval from:

- the Environment Agency;
  - SEPA (Scottish Environment Protection Agency); or
  - Northern Ireland Environment Agency (NIEA);
- (together referred to as 'we') under the Waste Electrical and Electronic Equipment Regulations 2006, as amended.

### What you need to include with this form

- A written constitution (see page 6)
- An operational plan (see page 7)
- The appropriate fee (see page 7)

You must meet certain criteria to get approval. Those criteria are set out under 'Summary of approval criteria' on page 7. We will assess your application against those conditions.

If you get approval, you must keep to certain conditions. Those conditions are set out in annex 1, 'Conditions of approval' on page 8.

Make sure that you have understood the criteria and conditions before you fill in the form.

You must send us the form between 1 July and 31 August in the year before the year in which you want to run the compliance scheme.

If we receive your application after 31 August, we will return it to you. If we reject your application, you cannot apply again until the following year.

We may send your application back to you if you do not:

- fill the form in properly;
- send the appropriate fee; or
- provide all the information we need.

### Approval

If we receive your application on time, and you meet all the criteria set out on page 7, we will make a decision on your application by 30 September. (See part 10 on page 7 for more information.)

If we refuse your application, we will tell you why you were not successful. We will also send you details of how you can appeal against our decision.

### Extra sheets

If you are attaching extra sheets, please number them (1 of 5, 2 of 5 and so on). On each sheet, clearly write:

- your business's name and address; and
- the section of the form it applies to.

### Help and advice

If you need any advice on how to provide the information we ask for, contact us as follows.

Contact:  
Environment Agency  
Phone: 03708 506 506

SEPA  
Phone: 01786 457700

NIEA  
Phone: 02890 569387

If your form does not give all the information we need we may not be able to approve you.

### Keeping a copy

You must keep a copy of this form, and any extra sheets and supporting information that you send us, for at least four years. We may ask to see the copies when we monitor your performance.

### Contents

- Your details
- Data protection notice
- Checklist
- Declaration
- Where to send your application
- Contact us

### Your details

Name of your compliance scheme

\_\_\_\_\_

Name of compliance scheme operator (you)

\_\_\_\_\_

Household only

Non-household only

Household and non-household

### Your details, continued

Registered address and postcode (If you are not a registered company, give your main business address.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Postcode \_\_\_\_\_

Company registration number

\_\_\_\_\_

## Your details, continued

(If you are a partnership, give the names of all partners in the spaces below.)

### Partner 1

Title (Mr, Mrs, Miss and so on) \_\_\_\_\_  
First name \_\_\_\_\_  
Last name \_\_\_\_\_

### Partner 2

Title (Mr, Mrs, Miss and so on) \_\_\_\_\_  
First name \_\_\_\_\_  
Last name \_\_\_\_\_

### Partner 3

Title (Mr, Mrs, Miss and so on) \_\_\_\_\_  
First name \_\_\_\_\_  
Last name \_\_\_\_\_

### Partner 4

Title (Mr, Mrs, Miss and so on) \_\_\_\_\_  
First name \_\_\_\_\_  
Last name \_\_\_\_\_

Address we should send any notices to

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Address we should send invoices to

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

## Contact name

Please give us details of the person we can contact with questions about your application. We will also send all our correspondence and email updates to this person.

Title (Mr, Mrs, Miss and so on) \_\_\_\_\_  
First name \_\_\_\_\_  
Last name \_\_\_\_\_

Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

## Your details, continued

Contact numbers, please include the area code

Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Mobile \_\_\_\_\_  
Email \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Data protection notice

The Environment Agency is responsible for regulating environmental protection, flood defence, water resources and fisheries. It aims to protect and improve the environment, and to promote conservation and recreation.

SEPA's main aim is to provide an efficient environmental protection system for Scotland, one that will both improve the environment and contribute to the Scottish Ministers' goal of sustainable development (that is, development that meets the needs of the present without preventing future generations from meeting their own needs).

NIEA's aim is to protect and conserve Northern Ireland's natural and built environment, to control and regulate pollution and to raise awareness of the environment and best practice.

## The Data Protection Act 1998

If you are based in England and Wales, the information you provide will be processed by the Environment Agency.

If you are based in Northern Ireland, the information will be processed by NIEA.

If you are based in Scotland, the information will be processed by SEPA.

The Environment Agency, SEPA or NIEA (whichever you apply to) will process the information you provide so that we can deal with your application, make sure you keep to the conditions of the licence, permit or registration, process renewals and keep the public registers up to date.

We may also process or release the information to:

- offer you documents or services relating to environmental matters;
- consult the public, public organisations and other organisations (for example, the Health and Safety Executive, local authorities, the emergency services, the Department for Environment, Food and Rural Affairs) on environmental issues;
- carry out research and development work on environmental issues;
- provide information from the public register to anyone who asks;
- prevent anyone from breaking environmental law, investigate cases where environmental law may have been broken, and take any action that is needed;
- assess whether customers are satisfied with our service, and to improve our service; and
- respond to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (if the Data Protection Act allows).

We may pass the information on to our agents or representatives to do these things for us.

## Checklist

Tick the relevant boxes below to tell us what you have enclosed with this form.

A cheque for £12,150

A copy of your constitution

In the spaces below, tell us which section of your constitution covers the following.

Relevant section	Reference
● Your legal personality	<input type="text"/>
● Scheme and member relationship	<input type="text"/>
● Membership fees	<input type="text"/>
● Member rules and regulations	<input type="text"/>
● Enforcement procedures	<input type="text"/>
● Number of members	<input type="text"/>
● Eligibility requirements	<input type="text"/>
● Allocation of evidence if your approval is withdrawn	<input type="text"/>
● Arbitration procedures	<input type="text"/>
● Communicating with members	<input type="text"/>

A copy of your operational plan

Reference

Other attachments

For example

- Evidence of your company registration

List the attachments below.

Please use separate sheets if you need to list more documents.

Read through this form again and make sure you have:

- answered all the questions;
- included all the documents you need to send us;
- included a cheque for £12,150; and
- signed the declaration.

We may reject your application if it is incomplete.

## Declaration

Have you ever been convicted of an offence under the Waste Electrical and Electronic Equipment Regulations 2006 (as amended)?

Please tick one

No

Yes

If you answered yes, please give us more details of the circumstances of the conviction and what steps you have taken to make sure that the problem will not arise in the future.

In the space below, give the reference numbers of any documents relevant to this section.

I declare that as far as I know and believe, the information in this application is true. I understand that this application may be refused, or approval withdrawn, if I give false or incomplete information.

If you make a statement that is false or misleading, you may be prosecuted.

Your signature

Name

Title (Mr, Mrs, Miss and so on)

First name

Last name

Position

Date (DD/MM/YYYY)

## Where to send your application

If your registered office or main business address is in England or Wales, send it to:

Environment Agency  
 Quadrant 2  
 99 Parkway Avenue  
 Parkway Business Park  
 Sheffield  
 S9 4WF.

Phone: 03708 506 506

If your registered office or main business address is in Scotland, send it to:

Producer Compliance and Waste Shipment Unit  
 Scottish Environment Protection Agency (SEPA)  
 Castle Business Park  
 Stirling  
 FK9 4TR.

Phone: 01786 457700

Fax: 01786 446885

If your registered office or main business address is in Northern Ireland, send it to:

Producer Responsibility Unit  
 Northern Ireland Environment Agency  
 Klondyke Building  
 Cromac Avenue  
 Gasworks Business Park  
 Belfast  
 BT7 2JA.

Phone: 02890 569387

Fax: 02890 569376

If your registered office or main business address is outside the United Kingdom, you must choose one of the agencies listed above to deal with your application.

Remember to keep copies of all the documents you send us. We will not return any documents.

## How to contact us

If you need help filling in this form, please contact the relevant Agency listed below.

If your registered office or main business address is in England and Wales, please contact:

General enquiries: 03708 506 506 (Monday to Friday, 8am to 6pm)

Textphone: 08702 422 549 (Monday to Friday, 8am to 6pm)

Email: [weee@environment-agency.gov.uk](mailto:weee@environment-agency.gov.uk)

Website: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

If your registered office or main business address is in Scotland, please contact:

Email: [producer.responsibility@sepa.org.uk](mailto:producer.responsibility@sepa.org.uk)

General enquiries: 01786 457700

If your registered office or main business address is in Northern Ireland, please contact:

General enquiries: 02890 569387

Email: [weee@doeni.gov.uk](mailto:weee@doeni.gov.uk)

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, please tell us how we can improve it.

**Please tell us if you need information in a different language or format (for example, in large print) so we can keep in touch with you more easily.**

### For Environment Agency use only

Reference number:

Approval reference number:

#### Checklist

Name of compliance scheme

Date received (DD/MM/YYYY)

Office stamp

Payment received

Cheque number

Contact details

Constitution enclosed

Operational plan enclosed

Form signed

Approved

Date (DD/MM/YYYY)

Refused

Date (DD/MM/YYYY)

Withdrawn

Date (DD/MM/YYYY)

# Application for approval to operate a producer compliance scheme

## Guidance notes



The Waste Electrical and Electronic Equipment Regulations 2006 (as amended) (WEEE Regulations)



**Please read these guidance notes carefully before you fill in the application form.**

**You should also read the relevant sections of the Waste Electrical and Electronic Equipment Regulations 2006 (as amended) (WEEE Regulations).**

### Contents

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  - 10 What happens once you have sent your application
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## 1 What are the Waste Electrical and Electronic Equipment Regulations?

The Waste Electrical and Electronic Equipment Regulations (WEEE Regulations) 2006 (SI3289) make the requirements of the Waste Electrical and Electronic Equipment EC Directive part of law. The regulations place new responsibilities on manufacturers, importers and rebranders of electrical and electronic equipment (EEE) (together known as producers). These responsibilities include collecting, treating and recycling electrical and electronic wastes (WEEE). There have been subsequent amendments to these Regulations.

## 2 What is a producer compliance scheme?

A producer compliance scheme is where a company or partnership takes on the obligations that producers in the United Kingdom have under the WEEE regulations. All producers have to join a producer compliance scheme. Compliance schemes will then register the producers in their scheme (its members) with either the Environment Agency, Scottish Environment Protection Agency or the Northern Ireland Environment Agency, depending on where the scheme is based. The compliance scheme will then have to meet its members' obligations relating to WEEE. This guidance tells you what you need to do to apply to operate a producer compliance scheme and what you will need to do once you are approved.

## 3 How to apply to operate a compliance scheme

To operate a producer compliance scheme, you need to be approved by one of the UK environment agencies. You also have to keep to the conditions of approval (see annex 1 on page 8) and meet your obligations (see annex 3 on page 9). If you do not we may withdraw your approval to operate a scheme.

To apply you need to:

- fill in the application form;
- attach a copy of your constitution;

- attach a copy of your operational plan (more information on this is given in section 6 on page 7) and in a separate guidance document called 'WMP8: Guidance on operational plans for producer compliance schemes'; and
- pay the application fee (more information is given in section 9 on page 7).

## 4 Filling in the application form

Part 1 of schedule 7 of the WEEE regulations sets out the information you need to provide in your application. You need to give us the operating or trading name of your scheme. You also need to give us the name of your registered company or partnership.

You will need to give us some proof of the name (for example, a copy of your Companies House registration document or company number). If you are a partnership, please give us the names of all the partners. If you have any legal document such as a partnership agreement, please provide a copy. If you are part of a group of companies, please include details of the parent or holding company.

Please give us the name of your main contact and their contact phone numbers. To help us to communicate with you and send you updates, please also give us a contact email address. You must keep the contact details up to date.

If you are a registered company, we will send any legal notices to the registered company address. If you are a partnership, we will send any legal notices to the contact address you give us in the form. If you need us to send any legal notices to a different address, please let us know.

Please remember to give us your postcode. You must also give us a statement to confirm whether you, as the operator of the proposed scheme, have or have not been convicted of an offence under the WEEE regulations. If you have been convicted, you must include an explanation of the circumstances surrounding the conviction and what steps have been taken to prevent those circumstances from arising in the future.

## 5 What to include in your constitution

Part 2 of schedule 7 of the regulations sets out the information you need to include in your constitution. Your constitution should set out the following.

### 1 Your legal 'personality'

That is, whether you are a registered company or partnership.

### 2 Scheme and member relationship

The type of relationship you will have with your members (for example, contractual or partnership).

Please send us a copy of your proposed contract with your members. This will help us to understand your relationship with your members. If you are proposing to deal with non-household Waste Electrical and Electronic Equipment (WEEE), include your contractual arrangements relating to WEEE returned under regulation 23.

### 3 Membership fees

Details of how you set your membership fees and any other amounts your members must pay. We will assess your scheme's fee structure and how it is applied to different sizes of business as well as to businesses handling different types and quantities of electrical and electronic equipment. You should show that you have a fee structure that is fair and that reflects your members' needs, including the needs of small and medium-sized businesses.

### 4 Member rules and regulations

Details of the rules or regulations your members must follow. We will assess your rules and regulations to see how you have set controls for yourself and your members. We will also look at your and your members' responsibilities.

The following should be included in your membership rules and regulations.

- A member must apply to join for at least one compliance year. Where a producer has to join your scheme part-way through the year, they will have to join for the rest of that compliance year.
- Producers who have obligations for only household WEEE or non-household WEEE must join only one scheme. Producers who will have obligations for both household and non-household WEEE may join two schemes – one for household and one for non-household.
- If you cancel a producer's membership, the cancellation cannot take effect until the end of the current compliance year. You cannot cancel a membership of a producer during the compliance year in order to avoid failing to meet an obligation you have.
- The producer must give you the information you need to register that producer, along with a signed statement to say that the information they have given you is as accurate as reasonably possible. This will include information on the total amount of electrical and electronic equipment (EEE (in tonnes)) that each member has placed on the market in any compliance year, including information on tonnage of EEE in each of the 10 categories, plus display equipment, cooling appliances containing refrigerants and gas discharge lamps, and whether the equipment was supplied for household use or for business use.
- The member will need to tell you, within 28 days, if any of the information they have given you changes.

- You may need extra rules or regulations for members who intend to manage their own obligations under the WEEE regulations. Your rules should clearly state which obligations you will be responsible for and which the member will be responsible for.

### 5 Enforcement procedures

Details of the procedures under which you would enforce the rules or regulations against a member of your scheme. You need to prove that you have adequate measures to deal with any member who breaks the rules and who could potentially damage your ability to meet your obligations.

You must show how you will deal with members who may not keep to the terms of your scheme, bearing in mind you cannot end a producer's membership until the end of a compliance year.

### 6 Number of members

Is there a minimum or maximum number of members who can join your scheme? If your scheme has only one member, it is known as a closed scheme. If you do not know or have not set a maximum number of members, please tell us.

### 7 Eligibility requirements

Details of any eligibility requirements members must meet to join your scheme. For instance, you should tell us:

- whether your scheme is for producers of household or non-household equipment, or for all producers;
- how you will make sure that your producers supply a particular market;
- whether your scheme is for any specific market, trading group or region; and
- whether you have any other eligibility requirements.

### 8 Allocation of evidence if your approval is withdrawn

This section should explain how you would divide the evidence notes you have between your members if we withdrew your approval (or your scheme failed) during a compliance year.

### 9 Arbitration procedures

Details of any arbitration procedures that will apply for settling any dispute between members, and between you and members.

### 10 Communicating with members

Details of the arrangements for giving your members accurate information in good time. Say whether you intend to publish a newsletter or publish information on a website, how you will communicate with members, and how you will pass on information from the appropriate authority.

### Operating a closed scheme

A closed scheme is one that has one member. It is, in effect, a scheme a company has set up to meet its own obligations. If your scheme is a closed scheme, some of the requirements in the constitution and operational plan are not relevant.

## 6 What to include in your operational plan

Part 3 of schedule 7 of the WEEE regulations sets out the information you need to include in your operational plan. You should use your operational plan to show us how you intend to run your business to meet your own obligations and those of your members. The plan should also give details on your relationship with collection, treatment and recovery or disposal facilities.

The information you include in the operational plan should cover three years. You should read the separate guidance note WMP8: 'Guidance on operational plan for compliance schemes' for more guidance on this section.

The WEEE regulations state what you must include in your operational plan. Please make sure that each part of the operational plan refers to the relevant section of the regulations to allow us to assess your application efficiently.

## 7 Summary of approval criteria

- When we receive your application we will assess the application against approval criteria. You must make sure that your application includes all the information we need to assess it against the approval criteria. We must be satisfied with all the information you provide with your application including details of your constitution and your operational plan.
- We must be satisfied that you meet the requirements for being approved as a scheme operator. These are discussed in Annex 2 on page 8.
- You must show that you are willing and able to follow the revised code of practice for DCFs.
- You must have paid the appropriate fee (see page 7).

## 8 Where to get more information

You can get general information and guidance about the WEEE regulations from the following.

Department for Business, Innovation and Skills (BIS)  
Website: [www.bis.gov.uk](http://www.bis.gov.uk)

The Environment Agency  
Website: [www.environment-agency.gov.uk/weee](http://www.environment-agency.gov.uk/weee)  
Phone: 03708 506 506  
Email: [weee@environment-agency.gov.uk](mailto:weee@environment-agency.gov.uk)

SEPA  
Website: [www.sepa.org.uk/weee](http://www.sepa.org.uk/weee)  
Phone: 01786 457700  
Email: [producer.responsibility@sepa.org.uk](mailto:producer.responsibility@sepa.org.uk)

NIEA  
Website: <http://www.doeni.gov.uk/niea/index.htm>  
Phone: 02890 569387  
Email: [weee@doeni.gov.uk](mailto:weee@doeni.gov.uk)

## 9 Where to send your filled-in application

You need to send your filled-in application form to the appropriate authority.

- If your registered office or main place of business is in England or Wales, apply to the Environment Agency.
- If your registered office or main place of business is in Scotland, apply to the Scottish Environment Protection Agency.
- If your registered office or main place of business is in Northern Ireland, apply to the Northern Ireland Environment Agency.

If your main place of business is outside the UK, you can send your application to any one of the above authorities.

**For approval as a new scheme**, send us your application to reach us between 1 July and 31 August of the year before the compliance scheme will start (for example, for approval in 2011, send your application to us between 1 July and 31 August 2010).

We will not be able to process any forms we receive after 31 August.

### The fee

You must send a cheque for the appropriate fee with your application. The current fee is £12,150. Your cheque should be made out to the authority you are applying to.

## 10 What happens once you have sent your application

As long as we receive your application between 1 July and 31 August, we will assess it straight away to make sure you have included all the necessary information. We may come back to you for more information or for more detail. We will make a decision on your application by 30 September.

If another scheme's approval has been withdrawn, the members of that scheme can state they are going to join your proposed scheme instead. If this is the case, we will make a decision by 30 September or within 28 days of receiving your application, whichever is later.

### If we refuse your application

If you do not meet the criteria and requirements to operate a scheme, we may refuse your application. We will let you know why we have refused your approval. We will also tell you how you can appeal against our decision. If we refuse your application, we will not refund your application fee.

### Withdrawing approval

We can withdraw your approval at any time if you break any of the conditions of the approval. If we intend to withdraw your approval we will send you notice of this. The notice will set out:

- why we have decided to withdraw your approval;
- how you can appeal against that decision;
- the date your approval will end; and
- what you need to do to get approval again.

### Appealing against our decision

If you want to appeal against a decision to refuse or withdraw your approval to operate a producer compliance scheme, you should appeal to:

- the Secretary of State for Business, Innovation and Skills and President of the Board of Trade, if your registered office or main place of business is in England or Wales;
- the Scottish Ministers, if your registered office or main place of business is in Scotland; or
- the Planning Appeals Commission in Northern Ireland if your registered office or main place of business is in Northern Ireland.

We will send you the relevant contact details with any decision that you may want to appeal against. If we withdraw your approval at any time and you make an appeal, the withdrawal will not apply until the appeal has been decided.

## Enforcement

The WEEE regulations have introduced specific offences for approved compliance scheme operators who fail to keep to certain conditions of their approval. If we think that you have not kept to any relevant condition, we will investigate the matter and may take action against you. Depending on the seriousness of the offence, we may:

- send you a warning letter;
- give you a formal caution; or
- prosecute you.

We can also withdraw your approval if we think this is appropriate. You can see our policy on enforcing the WEEE regulations on our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk).

## Public register of approved producer compliance schemes

For each approved compliance scheme we must put the following details on the public register.

- Your business or trading name and your registered office or main place of business; and
- whether your scheme is for household or non-household electrical and electronic waste, or both.

Also, we will regularly publish information gathered on all approved compliance schemes.

## Annex 1: conditions of approval

Once you are approved to operate a producer compliance scheme, you must meet the following conditions of approval. Please see the regulations for the precise wording of each condition. More details are also given in WMP8 'Guidance on operational plan for compliance schemes'.

In summary, under the conditions you must do the following.

- 1 Keep to the obligations of operating a producer compliance scheme.
- 2 Keep to the revised Code of Practice (developed by BIS) if your scheme collects WEEE from a designated collection facility (DCF) that is open to the public.
- 3 Provide any information relating to the scheme's obligations which the appropriate authority asks for.
- 4 Tell the appropriate authority, within 28 days, about:
  - any change in the operator of the scheme and, if the operator of the scheme is a partnership, any change of partners;
  - any significant change in members' details, details you have given in this application, your constitution or your operational plan; and
  - any conviction you get for an offence under the WEEE regulations.
- 5 Pay the annual registration fee when you receive an invoice from the appropriate authority (the Environment Agency, SEPA or NIEA).
- 6 Give the appropriate authority records and reports on the total amount of household WEEE that you have collected and delivered to an approved authorised treatment facility (AATF) or exporter, and information on the total amount of electronic and electrical equipment that members of your scheme have put on the market in the UK.
- 7 Accept household WEEE from private households free of charge from distributors and final holders.
- 8 Send us any extra details we ask for in relation to your operational plan. You must do this within 28 days of

receiving confirmation of your approval as a compliance scheme.

- 9 Meet the 'Requirements for approval' of a scheme, as set out in part 4 of schedule 7 of the WEEE regulations.
- 10 Keep records, relating to the scheme for at least four years from the date the record is made, and make them available to the appropriate authority when asked to do so.
- 11 Provide an updated operational plan to the appropriate authority on or before the 31 July of each year covering the next three compliance periods.

## Annex 2: requirements for a scheme to be approved

In order to be approved as a scheme operator you need to satisfy us that you can meet the following requirements. In your operational plan you will need to show how you intend to meet these requirements. The text below is a summary of the requirements. The precise wording is given in the WEEE regulations.

- 1 Within your rules or regulations you must make sure that:
  - producers have to apply to join the scheme for at least one compliance year (except in the case of new producers, who can join the scheme for just the remainder of the compliance year during which they started putting EEE onto the market in the United Kingdom); and
  - a producer's membership of the scheme cannot end until the end of the current compliance year.
- 2 Your scheme must have the resources and systems in place to do the following.
  - Keep up-to-date records of its members, including:
    - names and addresses; and
    - EEE Producer Registration numbers; and
    - producer identification marks used by each member.
  - Handle WEEE from private households, if you propose to do so (including collecting the waste and transporting it to authorised treatment facilities, and paying for treatment and reprocessing) in order to meet your obligations.
  - Handle WEEE from users other than private households, if you propose to do so (including collecting the waste and transporting it to authorised treatment facilities, and paying for treatment and reprocessing) in order to meet your obligations.
  - If your scheme has been approved for the purposes of meeting the obligations relating to WEEE from private households, accept, free of charge, household WEEE from distributors and final holders.
  - Keep, update and supply records to the appropriate authority.
  - Supply information to the appropriate authority (the Environment Agency, SEPA or NIEA).
  - Provide declarations of compliance and supporting evidence notes.
  - Check that the information your members give you is as accurate as reasonably possible and that the information you provide to the appropriate authority meets a similar standard of accuracy.
  - Follow good environmental practices.



- 3 You must co-operate with other schemes to develop working relationships with designated collection facilities.
- 4 You must have realistic plans to collect an amount of WEEE equivalent to that which you are responsible for financing under the WEEE regulations.
- 5 You must be likely to be able to meet the expected treatment, recovery and recycling obligations.
- 6 Your scheme must be likely to help the United Kingdom meet its obligations in relation to recovering WEEE.
- 7 If you or your scheme does not meet any of your obligations, we could take enforcement action against you and this must be without unreasonably high cost to us.

### Annex 3: obligations of operating a producer compliance scheme

Once you are approved as the operator of a producer compliance scheme you must meet the following obligations. The text below is a summary of the obligations. The precise wording is given in the WEEE regulations.

- 1 For each compliance year you must register each producer who is a member of the scheme with the appropriate authority.

#### 2 Application to register producers

You must register each producer who has joined your scheme with the appropriate authority. You must do this on or before 30 November.

- If a producer joins your scheme part-way through the compliance year, you must register that producer with the appropriate authority within 28 days.
- To register a producer, you need to write to the relevant authority. Your letter must:
  - contain the information set out in schedule 6 of the WEEE regulations; and
  - be accompanied by evidence that you have been approved by the appropriate authority.
- We will agree to register the producer if:
  - you have met the requirements for registering members;
  - you have been approved by the appropriate authority; and
  - the producer is not already registered with another scheme for the same period.
- Any information you give to the appropriate authority must be as accurate as reasonably possible.

#### 3 Financing: household WEEE

You must pay the costs of dealing with the household WEEE each member of your scheme produces. The appropriate authority will work out the amount of private household WEEE you will be responsible for.

#### 4 Financing: non-household WEEE

You must pay the costs of dealing with the non-household WEEE each member of your scheme produces. You and the producers in your scheme may make alternative arrangements to finance the costs of collecting, treating, recovering and disposing of WEEE. You should tell us about any alternative arrangements you have with your members.

#### 5 Prioritise recycling whole appliances

For any WEEE you are responsible for under the WEEE regulations, you must make sure that systems are set up to

prioritise the recycling of whole appliances. We can refuse your application for approval if we feel you need to have adequate plans in place to address this matter.

#### 6 Treatment

You must make sure that systems are set up for you to treat WEEE using the best available treatment, recovery and recycling techniques (BATRRT), and that WEEE is treated within the United Kingdom at an authorised treatment facility, or exported by an approved exporter for treatment outside the United Kingdom. (This does not apply to any whole appliances that are reused.)

#### 7 Recovery

You must make sure that systems are set up to recover WEEE, and that it is recovered or recycled within the United Kingdom or exported by an approved exporter to be recovered or recycled outside the United Kingdom.

These targets will not apply to whole appliances that are reused and recycled. You should demonstrate how you make sure that you meet these targets.

#### 8 Reporting: household WEEE

You must give the appropriate authority information on the total amount of household WEEE you have been responsible for collecting from a designated collection facility and delivering to an approved authorised treatment facility for treatment within the United Kingdom, or an approved exporter for treatment outside the United Kingdom. You must provide this information every three months.

#### 9 Reporting: electrical and electronic equipment put onto the market

Each year you must give the appropriate authority information on the total amount of EEE, in tonnes, that each producer has put onto the market in the United Kingdom in the previous year. You must provide this information in writing, and must specify the amount of EEE in each of the 10 categories, plus display equipment, cooling appliances and gas discharge lamps. You must provide this information on or before 31 January.

#### 10 Declaration of compliance

For each compliance year you must give the appropriate authority a declaration of compliance. You must do this on or before 30 April of the year that immediately follows the relevant compliance period. The declaration must be in writing and must state whether you have met your obligations for both household and non-household WEEE. When you provide the declaration you must include copies of all evidence notes you received in the compliance year. However, because all the evidence is generated electronically, you must provide a summary of the evidence you have bought to meet your obligation. A format for this summary is contained within our guidance note GN05: 'Declaration of compliance guidance'.

#### 11 Keeping records

You must keep records of the following.

- The amount, in tonnes, of all WEEE that you have delivered to, or collected from:
  - a designated collection facility;
  - an approved authorised treatment facility; or
  - an approved exporter;each year.
- The categories of the WEEE and the amount (in tonnes) of WEEE that was intended for use by private

households, and the amount that was intended for use by people other than private households.

- The amount (in tonnes) of WEEE that is reused.

You must keep these records for at least four years from the date the record is made, and you must make them

available to the appropriate authority when they ask for them. If you do not keep accurate records, we may withdraw your approval.

