

WEEE Regulations (Waste Electrical and Electronic Equipment)

Introduction

The WEEE Regulations require producers (i.e. manufacturers, importers and companies that sell under their own label) and in some cases users, to provide for the environmentally sound disposal of electrical and electronic equipment being discarded by users when they reach end-of-life (waste). These Regulations are based on an EU Directive, so apply in all EU countries and have been in full force in the UK since July 1st 2007.

Which products are in scope?

A list of the equipment in scope is shown in Schedule 2 of the UK WEEE Regulations (see <http://www.berr.gov.uk/whatwedo/sectors/sustainability/weee/page30269.html>), which includes a full copy of the Regulations and Guidance Notes and much other useful information. Broadly, lighting products included are:

- All Lamps (lightbulbs) except incandescent types.
- All non-domestic light fittings.

Who is responsible for financing the disposal of the waste?

- In the case of equipment installed before 13.8.2005, the producer of the replacement equipment is responsible for the disposal of the discarded equipment. If no replacement equipment has been ordered at the time of disposal, the User/disposer is responsible for the environmentally sound disposal.
- In the case of equipment installed after 13.8.2005, the producer of the equipment being discarded is responsible for its disposal (see Regulation 9).
- In all cases, where the Producer cannot be traced e.g. old equipment where the Producer is no longer active on the market the owner/disposer is responsible for the disposal.

What are Producer Compliance Schemes?

Producers whose products are in scope of WEEE are legally required to register with an approved Producer Compliance Scheme (PCS). There are approximately 40 such Schemes registered in the UK for Producers to select from. The Lighting Industry Federation strongly urges all Producers in the lighting industry to act responsibly in respect of their WEEE obligations and register with a PCS. The lighting industry takes its environmental responsibilities seriously and therefore took action at the early stages in the development of the legislation to ensure it could offer solutions to Producers in the industry, which were attuned to the specific requirements of the industry. As a result two specialist schemes were set up within the industry and are now firmly established with nearly 3 years of practical experience behind them.

1. For non-domestic lighting fittings the Lighting Industry Federation established
 - **Lumicom Ltd.** It currently has circa 120 members and offers flexible options for membership and a range of services to deal with specific requirements of its Producer members and their customers. See www.lumicom.co.uk for full details. When and if domestic light fittings come into scope of the WEEE Regulations, Lumicom intend to offer a service for those as well.
2. For Lamps, the major lamp manufacturers established an independent company called:

- **Recolight Ltd.** It currently has circa 60 members and has built and continues to expand, specialist and innovative services to encourage increased returns of waste lamps for recycling. See www.Recolight.co.uk for full details.

Lumicom and Recolight also cooperate with each other by offering reciprocal services to each others members, thus improving service to all members.

The Lighting Industry Federation recommends that lighting Producers when considering which PCS to join always consider these two industry based Schemes.

What do Producer Compliance Schemes do?

Very briefly, by joining a PCS, most of the Producers obligations under WEEE are transferred to that PCS to take care of and it is the role of the PCS to ensure that those Producer obligations are met. The Regulations comprise some 70 pages (with a further 120 pages of Guidance Notes) and are complex so a PCS adds a lot of value by dealing with all of that on behalf of its members.

A basic checklist (please refer to your PCS for full details of your obligations)

1. Are you marking your lighting fittings or lamps with the WEEE symbol i.e. a crossed-out wheelie bin? See <http://www.netregs.gov.uk/netregs/topics/WEEE/default.aspx> for some good information on marking products and other practical information on the working of the WEEE Regulations.
2. Are you branding your product in such a way that it will enable users to trace it back to you, when it comes to disposal, at the end of its life?
3. Have you registered via a PCS with the appropriate Environment Agency and are you applying your resulting WEEE registration number on your invoices and other important Company documents?
4. Have you set up an in-house system for recording your sales data in respect of products in scope of WEEE that are sold on the UK market? You need to supply that to your PCS but it also has to be available for auditing/verification purposes.
5. Have you informed/trained your staff on the consequences of the WEEE Regulations for your business and their actions in respect of that e.g. how disposal should be carried out so that they are able to advise customers and understand they have to keep records for 4 years?
6. Have you checked that your suppliers of non-household luminaires and gas discharge lamps are WEEE registered where they are in scope?

How are the WEEE Regulations enforced?

The respective Environment Agencies of England & Wales; Scotland and Northern Ireland are responsible for enforcement of the Regulations. Full details for England & Wales can be seen at <http://www.environment-agency.gov.uk/business/regulation/31975.aspx> and links to Scotland and Northern Ireland Agencies can be found there.

For more information about The Lighting Industry Federation or the WEEE Regulations please contact us at info@lif.co.uk. If you are interested in joining LIF, which is the trade association for lighting equipment manufacturers, please go to the home page of our website www.lif.co.uk where you will find a benefits of membership document and be able to download a membership application form.

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Disclaimer:

This document is for general guidance on the Regulations to which it refers but LIF disclaims any liability resulting from any actions taken as a result on which specific individual advice should be taken by the party concerned. A full copy of the Regulations and supporting guidance can be found on the BIS website.