



Comhshaol, Oidhreacht agus Rialtas Áitiúil  
Environment, Heritage and Local Government

## WEEE and the Retailer

### Your role in ensuring the Environmentally Sound Management of Waste Electrical and Electronic Equipment (WEEE) in Ireland

#### **Contents**

Retailer Obligations.....	1
Local Authority Registration .....	2
Retailer Take-back.....	2
Delivery to Approved Collection Facilities .....	3
Special Requirements for Storage and Transport of WEEE .....	3
Environmental Management Costs (EMC's) .....	5
Provision of Information .....	5
Retailer = Distributor .....	6
Frequently Asked Questions.....	7
Relevant Contact Details .....	7

Retailers of electrical and electronic equipment (EEE) will be affected by new regulations, which were made on 5<sup>th</sup> July 2005 transposing EU legislation on waste electrical and electronic equipment (WEEE). While the WEEE Directive is based largely on the principle of *producer responsibility*, the regulations include specific provisions relating to retailers.

The regulations and other information on WEEE can be accessed on the Department's website by clicking on the following link:

<http://www.environ.ie/en/Environment/Waste/ProducerResponsibilityObligations/Batteries>

#### **Retailer Obligations**

Since **13 August 2005**, each retailer must:

- » be registered with their local authority;
- » provide for free in-store take back of household WEEE on a one-for-one basis on the sale of a new like product;
- » ensure that any WEEE collected is delivered to an approved collection facility;

- » ensure that the storage and transport of WEEE collected as above meets the requirements of the Regulations; and
- » ensure that private households are informed of the WEEE take back facilities available to them and that they are encouraged to participate in the separate collection of WEEE.

Additional details, including simple ways to ensure you are meeting your obligations are provided below.

## Local Authority Registration

The first step in ensuring you are meeting your obligations is to **register** with your local authority i.e. County or City Council. The registration system is simple and straightforward. Retailers are required to complete and sign a simple form undertaking to comply with **General Binding Rules\*** on the environmentally sound management of WEEE and to forward this with a nominal fee (€20) to their local authority **no later than 30 January of each year.**



### Retailer Registration – General Binding Rules

Most sites used for the storage of waste require a Waste Permit from the relevant Local Authority. Retailers can avail of an exemption to this, provided they register with their Local Authority.

A simple, universal registration form for the storage of WEEE by retailers is being developed and will be sent out to you shortly. The form will request information regarding the types of WEEE you intend to store and will ask you to sign a declaration stating you comply with the special requirements for the storage and treatment of WEEE, outlined above.

All sites used for the storage of waste are subject to periodic inspection by the relevant authority.

## Retailer Take-back

Since 13 August 2005, retailers are required to take back WEEE from members of the public **free of charge**. Take back is on a one-for-one basis only and the WEEE must be of a **similar type** or have performed the **same function** as the new item purchased. For example, you are not obligated to accept a microwave if your customer has purchased a toaster. Retailers cannot offer inducements in lieu of their take-back obligations.

### Alternatives to In-store Take Back

Subject to the prior agreement of the local authority, retailers may make alternative arrangements to fulfil the one-for-one obligation. Any such arrangements must not be more inconvenient for the purchaser and, as with in-store take back, it must remain free of charge. Potential customers must be made aware of such requirements. See **Appendix 1** for a sample of the signage required. **It is not acceptable for a retailer to indicate that WEEE may be deposited at a local authority civic amenity facility as an alternative to in-store take back.**

If an item of WEEE has not been exchanged at the time of sale of a new product, retailers must inform the purchaser in writing of the deadline by which WEEE must be returned to avail of the free one-for-one take back. WEEE must be returned within a maximum of 15 days of the date of sale or, if delivered, within a maximum of 30 days of the date of delivery. If an alternative arrangement has been agreed with the local authority, purchasers must be informed of the alternative collection facility.

## Delivery to Approved Collection Facilities

Registered retailers are entitled to dispose of household WEEE that has been exchanged for purchase of a new item free of charge at civic amenity sites. Please note that this applies only to household WEEE taken back free of charge from 13 August 2005 onwards. It is important to note that this is **subject to prior arrangements** being made with the relevant local authority and/or site owner/operators; a local authority may divert the WEEE to another facility operated by it or on its behalf.



### Arrangements with Civic Amenity Sites

Civic amenity sites often have peak times when they are particularly busy, e.g., weekends. In addition, some sites such as those located in urban areas have restricted access and/or limited capacity.

It is important for site operators to know how many retailers they can expect at their sites. It is equally important for retailers to accommodate any specific requirements, such as limiting the number of items per trip, the number of trips per week or the times when retailers will have access to the site.

This is in everyone's best interest, including the public who also rely on these sites to recycle their waste. One retailer at a time may not present a problem, ten certainly could!

### **Alternatives to delivering it yourself**

You may, subject to local authority approval, be able to make arrangements to have WEEE collected from your premises by the producers (or collective compliance schemes acting on their behalf) who are responsible for the WEEE. Appropriate waste authorisations will be required for those who undertake the collection e.g., a Waste Collection Permit.

Two **collective compliance schemes** are currently in operation. Contact details for each of the schemes are provided at the end of this document.

## Special Requirements for Storage and Transport of WEEE

Because WEEE is a waste, there are certain minimum requirements associated with how it is collected, stored and disposed. The WEEE regulations allow retailers to avail of an exemption from the normal waste permitting requirements for the storage and transport of WEEE; however, **a modified permitting regime is in operation to ensure certain minimum requirements are met**. Under the modified regime which is less burdensome

than the normal waste permitting requirements, retailers are required to **register** their premises with their local authority i.e. County or City Council.

### **Storage**

WEEE taken back at retailers' premises needs to be stored and handled properly. All sites for the storage of WEEE must have **impermeable surfaces**. If the WEEE is to be stored in an outdoor area, this must have **weatherproof covering**. **Spillage collection facilities** must also be provided.

Registered retailers who store WEEE that has been taken back free of charge at their premises are exempted from requiring a Waste Permit, provided that the quantities in storage at any one time do not exceed the following:

- » **90** cubic metres of household WEEE other than WEEE listed in category 5 of the *First Schedule* (e.g. lighting equipment) and mobile phones,
- » **2,000** units WEEE listed in category 5 of the *First Schedule* (e.g. lighting equipment), and/or
- » **50** kgs of mobile phones.

This exemption will not apply where the WEEE is contaminated, and therefore a health and safety risk, or where storage does not meet the requirements noted above.

### **Transport**

Retailers **who are registered** with their local authority and who have accepted WEEE back on a one-for-one basis are exempted from requiring a Waste Collection Permit when transporting that WEEE to an approved collection or recovery facility, provided that the vehicle used for its transport is registered in the State. The exemption only applies where the WEEE concerned was taken back free of charge on a one-for-one basis, and will eventually be treated in accordance with relevant provisions of the Regulations.

### **Collection**

WEEE taken back at retailers' premises should only be passed on to someone authorised to collect and manage this type of waste. These include:

- » A civic amenity facility, provided any necessary arrangements have been made with the relevant local authority in advance (e.g., days and times WEEE will be accepted from registered retailers);
- » Permitted waste collector acting on behalf of the producer(s) responsible for the WEEE or an approved collective compliance scheme;
- » Charities which are registered with the Revenue Commissioners and have a CHY Reference;
- » Members of the public, provided that the equipment will be reused for the purpose for which it was originally designed

## Environmental Management Costs (EMC's)

Most WEEE arisings have been historic waste (i.e. arising from EEE placed on the market before 13 August 2005). The Regulations allow producers to show EMC's on new products placed on the market for a limited period of time – **8 yrs** for the various categories of historic WEEE and **10 yrs** in the case of category 1 (i.e. large household appliances). Costs where EMC's are shown may not exceed the actual costs of collection, treatment and disposal in an environmentally sound manner of historic WEEE. Where producers display EMC's, retailers must also display them to customers, subject to the following conditions –

- » Where prices of items are displayed in-store (e.g. shelf ticketing), on a website, in a catalogue or in media advertising there must be a "three point" display i.e. Retail price, the EMC and price less the EMC. The retail price must not be less prominent than the price exclusive of the EMC and the EMC;

See Appendix 2 for examples of compliant and non-compliant shelf ticketing.

- » Till receipts must display either –
  - the following text: "*Price includes Producer Recycling Fund (PRF) contribution*"; or
  - the EMC amount in addition to the "retail price", the retail price being the amount paid by the consumer.

See Appendix 3 for examples of compliant and non-compliant till receipts.

- » In addition to displaying EMCs at their premises, each retailer must also make available to the purchaser concerned a document which shall state "the price of this item includes a contribution to a producer recycling fund to ensure that waste electrical and electronic equipment is collected and recycled in a responsible manner",
- » Retailers when quoting the price of a product must quote the price inclusive of the EMC which will be regarded as the retail price,

The current level of EMCs can be obtained from the website of the WEEE Register at [www.weeregister.ie](http://www.weeregister.ie)

## Provision of Information

When selling a new product, retailers must inform users of the return and collection systems available to them at the end of that product's life, when it becomes WEEE. Retailers can meet this obligation by providing the required information in leaflets or in signage at the point of sale.

Furthermore, an A4 sign advising customers of waste battery take back arrangements must be placed within one metre of each point of sale and/or each point where batteries are displayed. This signage must be –

- printed in bold type with black indelible ink on a white background with a times new roman font size of at least 24 or equivalent and line space of at least 1.25 lines and affixed, on a durable material, and
- clearly visible and must not be obscured or concealed at any time.

An example of this sign can be found at **Appendix 4**.

Alternatively, retailers who sell both electrical goods and batteries may place an alternative A4 advising customers of both WEEE and waste battery take back arrangements may be placed within one metre of each point of sale and/or each point where batteries are displayed. This signage must be –

- printed in bold type with black indelible ink on a white background with a times new roman font size of at least 20 or equivalent and line space of at least 1.25 lines and affixed, on a durable material, and
- clearly visible and must not be obscured or concealed at any time.

An example of the alternative sign can be found at **Appendix 5**.

## **Advertisements**

All advertisements in print media for electrical and electronic equipment must contain the following text –

***“Waste Electrical and Electronic Equipment (WEEE) must never be placed in your waste disposal or recycling bins. WEEE is taken back free of charge at electrical retail outlets on a one-for-one like-for-like basis. Local authority civic amenity facilities also take back WEEE free of charge. WEEE recycling is free.”***

## **Retailer = Distributor**

The WEEE Directive defines a ‘distributor’ as a person that supplies electrical and electronic equipment to the person who is going to use it. Retailers are, therefore, distributors for the purposes of the WEEE legislation.

If a retailer (or distributor) sells electrical and electronic products from a ‘producer’ who fails to register with the **WEEE Registration Body that retailer/distributor takes on the producer responsibility obligations for that equipment.**

In addition, if a retailer/distributor re-brands or imports equipment directly, they may be considered a producer for the purposes of implementing the Directive in Ireland. **If you or your company re-brand or import equipment directly, you are advised to contact the WEEE Register to determine whether you qualify as a producer for the purposes of the Regulations.** Contact details are provided at the end of this document.

## How do I know if they are registered?

Registered WEEE producers have been issued with a *registration number since* August 2005 and have been required to display this number on any invoice, credit note, dispatch or delivery docket they issue.

From 26 September 2008, WEEE producers will also be required to display a *valid registration number* on any invoice, credit note, dispatch or delivery docket they issue. Any producer with a valid registration number will have a current Certificate of Registration or Re-registration in his / her possession.

Details of producers with a valid registration number can be found at [www.weeeregister.ie](http://www.weeeregister.ie)

If a valid registration number cannot be provided, you are strongly advised to contact the producer or their representative in Ireland before agreeing or continuing to sell their products.

Also, retailers should not stock any EEE from producers that does not contain a crossed out wheeled bin symbol.

Since 13 August 2005, all EEE being put on the market in the European Union must be marked with a crossed out wheeled bin.



## Frequently Asked Questions

*Q. Can I charge a collection fee for taking back WEEE on the delivery of a new product?*

No. One for one take-back is free regardless of whether this happens at your premises or on the delivery of a new product. The retailers right to charge for delivery of the new item of electrical or electronic equipment, however, is not affected.

*Q. Will I need to obtain waste licenses or permits?*

No. In order to minimise the regulatory burden of the WEEE Directive, the Regulations propose that retailers be allowed to avail of an exemption from the normal waste permitting requirements for the storage and transport of WEEE in certain circumstances. Under the modified regime, which will be considerably less burdensome and less expensive than the normal collection and waste permitting requirements, retailers will be required to register their premises with their local authority.

*Q. Will I need to obtain a change of use for my premises under the Planning Regulations?*

No, there are no planning issues here. Retailers are simply continuing an everyday practise of taking back goods from consumers; before the implementation of the WEEE Directive this take-back related to returned, faulty or damaged goods, now it is extended to include WEEE.

## Relevant Contact Details

### ***Collective Compliance Schemes***

To date two collective compliance schemes have been approved. They are WEEE Ireland and the European Recycling Platform. Their contact details are as follows:

#### **WEEE Ireland**

Suite 18, The Mall,  
Beacon Court,  
Sandyford,  
Dublin 18.

Phone: 00 353 1 299 9320  
E-mail: [info@weeeireland.ie](mailto:info@weeeireland.ie)

Web: [www.weeeireland.ie](http://www.weeeireland.ie)

#### **European Recycling Platform (ERP) Ireland**

Unit 9D, Nutgrove Office Park,  
Nutgrove Avenue,  
Rathfarnham,  
Dublin 14

Phone: 00 353 1 299 5642  
E-mail: [ireland@erp-recycling.org](mailto:ireland@erp-recycling.org)

Web: [www.erp-recycling.org](http://www.erp-recycling.org)

#### Local Authority Area

Carlow County Council  
Cork City Council  
Cork County Council  
Donegal County Council  
Dublin City Co  
Dun Laoghaire - Rathdown County  
Council  
Galway City Council  
Galway County Council  
Kildare County Council  
Kilkenny County Council  
Laois County Council  
Leitrim County Council  
Longford County Council  
Mayo County Council  
North Tipperary County Council  
Offaly County Council  
Roscommon County Council  
Sligo County Council  
South Dublin County Council  
South Tipperary County Council  
Waterford City Co  
Waterford County Council  
Westmeath County Council  
Wexford County Council  
Wicklow County Council

#### Local Authority Area

Cavan County Council  
Clare County Council  
Fingal County Council  
Kerry County Council  
Limerick City Co  
  
Limerick County Council  
Louth County Council  
Meath County Council  
Monaghan County Council



## ***National Producer Register***

The registration of battery producers is undertaken by the WEEE Register. Its contact details is as follows:

### **The WEEE Register Society Limited.**

The National WEEE Registration Body.  
Suite 501,  
8 Dawson Street,  
Dublin 2.

Phone: 00 353 1 240 9320  
00 353 1 240 9321  
Fax: 00 353 1 240 9342  
E-mail: [info@weeeregister.ie](mailto:info@weeeregister.ie)  
Web: [www.weeeregister.ie](http://www.weeeregister.ie)

Further information, including the regulations and accompanying explanatory memoranda can be obtained at the Department's website:

<http://www.environ.ie/en/Environment/Waste/ProducerResponsibilityObligations/Batteries>

#### **Disclaimer:**

This document does not purport to provide a legal interpretation of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 – S.I. No. 340 of 2005. The Department of the Environment, Heritage and Local Government developed this document as guidance to retailers in fulfilling their obligations. Users of this document should use the material provided therein for information purposes only. The Department of the Environment, Heritage and Local Government does not accept any responsibility whatsoever for loss or damage occasioned or claimed to have been occasioned, in part or in full, as a consequence of any person acting or refraining from acting, as a result of a matter contained in this document.

## **Signage Alternative Take Back Arrangements**

### **WASTE MANAGEMENT ACT 1996**

**[Name of distributor] participates in a scheme operated by [Name of undertaking approved by local authority] which has been approved by [Name of local authority] for the collection of waste electrical and electronic equipment. [Name of undertaking approved by local authority] accepts waste electrical and electronic equipment at [address of premises accepting waste electrical and electronic equipment]. [Name of distributor] is therefore not required to accept waste electrical and electronic equipment on these premises.**

Signage must be at or within one metre of each entrance to the premises, and must be –

- at least 30cm X 40cm or 40cm X 30cm – e.g. approx A3 – **an A4 sign is NOT compliant,**
- printed in black indelible ink with a times new roman font size of at least 32 or equivalent and line space of at least 1.5 lines,
- on a white background,
- of durable material, and
- not be obscured or concealed at any time,

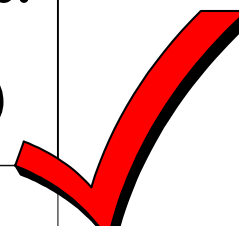
It is not acceptable for a retailer to indicate that WEEE may be deposited at a local authority civic amenity facility as an alternative to in-store take back.

## Display of vEMCs – Compliant Shelf Ticketing / Advertising

Retail Price less Producer Recycling Fund: <b>€27.99</b>	Producer Recycling Fund: <b>€2</b>	<b>Retail Price:</b>  <b>€29.99</b>
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Retail Price less PRF: <b>€27.99</b>	PRF: <b>€2</b>	<b>Retail Price:</b>  <b>€29.99</b>
<b>PRF = Producer Recycling Fund</b>		



Retail Price less Producer Recycling Fund: <b>€27.99</b>	<b>Retail Price:</b>  <b>€29.99</b>	Retail Price less PRF: <b>€27.99</b>	<b>Retail Price:</b>  <b>€29.99</b>
Producer Recycling Fund: <b>€2</b>		PRF: <b>€2</b>	
<b>PRF = Producer Recycling Fund</b>			




EMC's quoted are for illustrative purposes only and may be subject to change  
 The current category listing and EMCs applicable can be obtained from [www.weeeregister.ie](http://www.weeeregister.ie)

**Display of vEMCs – Compliant Shelf Ticketing / Advertising**

Retail Price less Producer Recycling Fund: -€2	Producer Recycling Fund: €2	<b>Retail Price:</b>  <b>Free</b>
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**Different Items / Same EMCs**

<b>Two for the Price of one</b>		
Retail Price less Producer Recycling Fund: €295.99	Producer Recycling Fund: <del>€4</del> (2X€2)	<b>Retail Price:</b>  <b>€299.99</b>



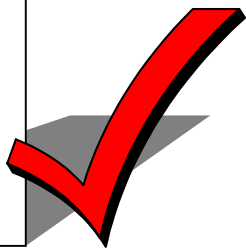
<b>Two for the Price of one</b>			
<b>Item 1</b>	Retail Price less Producer Recycling Fund: €297.99	Producer Recycling Fund: €2	<b>Retail Price:</b>  <b>€299.99</b>
<b>Item 2</b>	Retail Price less Producer Recycling Fund: -€2	Producer Recycling Fund: €2	<b>Retail Price:</b>  <b>Free</b>



**Display of vEMCs – Compliant Shelf Ticketing / Advertising**

**Different Items / Different EMCs**

<b>Two for the Price of one</b>		
Retail Price less Producer Recycling Fund: <b>€692.99</b>	Producer Recycling Fund: <b>€7 (€5+€2)</b>	<b>Retail Price: €699.99</b>



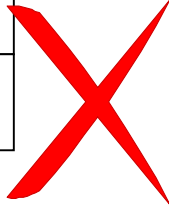
<b>Two for the Price of one</b>			
<b>Item 1</b>	Retail Price less Producer Recycling Fund: <b>€694.99</b>	Producer Recycling Fund: <b>€5</b>	<b>Retail Price: €699.99</b>
<b>Item 2</b>	Retail Price less Producer Recycling Fund: <b>-€2</b>	Producer Recycling Fund: <b>€2</b>	<b>Retail Price: Free</b>



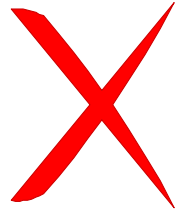
EMC's quoted are for illustrative purposes only and may be subject to change  
 The current category listing and EMCs applicable can be obtained from [www.weeeregister.ie](http://www.weeeregister.ie)

**Display of vEMCs – Non-Compliant Shelf Ticketing / advertising**

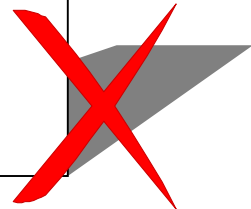
<p><b>Retail Price:</b> <b>€297.99</b></p>
<p>€ EMC to be added</p>



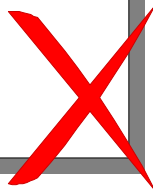
<p><b>Retail Price:</b> <b>€297.99</b></p>
<p>Price excludes € Recycling Charge</p>



<p>Price including Producer Recycling Fund: <b>€299.99</b></p>	<p>Producer Recycling Fund: <b>€</b></p>	<p><b>Price:</b> <b>€297.99</b></p>
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<p>Producer Recycling Fund: <b>€</b></p>	<p><b>Price:</b> <b>€297.99</b></p>
<p>Price including Producer Recycling Fund: <b>€299.99</b></p>	



<p>Price including PRF: <b>€299.99</b></p>	<p><b>Price:</b> <b>€297.99</b></p>
<p>PRF: <b>€</b></p>	
<p>PRF = Producer Recycling Fund</p>	



<p><b>Retail Price:</b> <b>€299.99</b></p>
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An additional € Environmental Management Cost is payable on these goods.



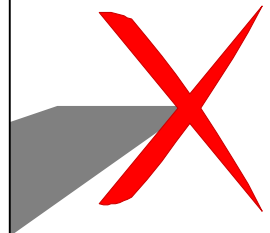
EMC's quoted are for illustrative purposes only and may be subject to change  
The current category listing and EMCs applicable can be obtained from [www.weeeregister.ie](http://www.weeeregister.ie)

**Display of vEMCs – Non-Compliant Shelf Ticketing / Advertising**

**Different Items / Same EMCs**



<b>Two for the Price of one</b>		
Retail Price less Producer Recycling Fund: <b>€297.99</b>	Producer Recycling Fund: <b>€ (€X1)</b>	<b>Retail Price:</b>  <b>€299.99</b>



EMC's quoted are for illustrative purposes only and may be subject to change  
 The current category listing and EMCs applicable can be obtained from [www.weeregister.ie](http://www.weeregister.ie)

## Display of vEMCs – Compliant Receipt

74cm Plasma TV (1)	2,990.00
DVD Recorder (2)	299.00
<b>Total</b>	<b>3,289.00</b>
Cash	3,300.00
Change	11.00
(1) Producer Recycling Fund	8.00

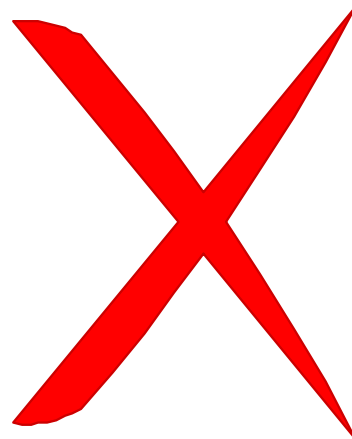
74cm Plasma TV (1)	2,990.00
DVD Recorder (2)	299.00
<b>Sub Total</b>	<b>3,289.00</b>
Less Discount	328.90
<b>Total</b>	<b>2960.10</b>
Cash	2,965.00
Change	4.90
(1) Producer Recycling Fund	8.00

74cm Plasma TV (1) (includes €8 Producer Recycling Fund)	2,990.00
DVD Recorder (2)	299.00
<b>Total</b>	<b>3,289.00</b>
Cash	3,300.00
Change	11.00

74cm Plasma TV	2,990.00
DVD Recorder	299.00
<b>Total</b>	<b>3,289.00</b>
Cash	3,300.00
Change	11.00
Price includes Producer Recycling Fund (PRF) contribution	

## Display of vEMCs – Non-Compliant Receipt

74cm Plasma TV (1)	2,982.00
DVD Recorder (2)	299.00
(1) Producer Recycling Fund	8.00
<b>Total</b>	<b>3,289.00</b>
Cash	3,300.00
Change	11.00



EMC's quoted are for illustrative purposes only and may be subject to change  
The current category listing and EMCs applicable can be obtained from [www.weeregister.ie](http://www.weeregister.ie)



# **FREE RECYCLING**

## **WASTE MANAGEMENT ACT 1996**

**Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge in this store 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 your waste disposal or recycling bins.**

**Make sure you always recycle all your old electrical goods.**

## **FREE RECYCLING**

### **WASTE MANAGEMENT ACT 1996**

**Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge in this store on a one-for-one, like for-like basis.**

**Waste batteries including rechargeable batteries (of a type sold here) are taken back free of charge in this store.**

**You are not obliged to make any purchase when returning old batteries here.**

**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 your waste disposal or recycling bins.**

**Make sure you always recycle all your old electrical goods and batteries.**