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ENVIRONMENT (WASTE) REGULATIONS 2007

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Subsidiary  
2007/125

Subsidiary Legislation made under s. 18 of the Environment Act 2005.

**ENVIRONMENT (WASTE) REGULATIONS 2007**

**(LN. 2007/125)**

*Commencement*      **29.11.2007**      (*LN. 2007/126*)

**EU Legislation/International Agreements involved:**

Directive 67/548/EEC	Directive 2006/66/EC
Directive 75/442/EEC	Directive 2008/112/EC
Directive 76/768/EEC	Directive 2008/99/EC
Directive 88/378/EEC	Directive 2012/19/EU
Directive 91/157/EEC	Directive 2013/59/EURATOM
Directive 97/7/EC	Regulation (EC) No 1272/2008
Directive 1999/13/EC	Regulation (EEC) No.259/93
Directive 1999/45/EC	Regulation (EC) No.1420/1999
Directive 2000/53/EC	Regulation (EC) No.761/2001
Directive 2002/96/EC	Decision 2005/369/EC
Directive 2003/108/EC	Recommendation 2001/331/EC
Directive 2004/42/EC	

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*In the exercise of the powers conferred upon it by section 18 of the Environment Act 2005, the Government has made the following Regulations—*

**PART I  
WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT**

**Title and commencement.**

1. These Regulations may be cited as the Environment (Waste) Regulations 2007 and come into operation on the day prescribed by the Minister by Notice in the Gazette.

**Interpretation.**

2.(1) In these Regulations—

“the Competent Authority” means the Minister or such other body or person as the Minister may, by notice in the Gazette, prescribe;

“dangerous substance or preparation” means any substance or preparation which has to be considered dangerous under Council Directive 67/548/EEC or Directive 1999/45/EC of the European Parliament and of the Council;

“the Directive” means Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE) as amended by Directive 2003/108/EC, as the same may from time to time be further amended;

“disposal” means any of the applicable operations provided for in Annex IIA to Directive 75/442/EEC;

“distributor” means any person who provides electrical or electronic equipment on a commercial basis to the party who is going to use it;

“EEE” means electrical and electronic equipment to which these Regulations apply;

“economic operators” means producers, distributors, collectors, dismantlers, shredders, recoverers, recyclers and other treatment

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operators of waste electrical and electronic equipment, including their components and materials;

“electrical and electronic equipment” or “EEE” means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields falling under the categories set out in Part I of Schedule 1 and designed for use with a voltage rating not exceeding 1,000 Volt for alternating current and 1,500 Volt for direct current;

“finance agreement” means any loan, lease, hiring or deferred sale agreement or arrangement relating to any equipment whether or not the terms of that agreement or arrangement or any collateral agreement or arrangement provide that a transfer of ownership of that equipment will or may take place;

“historical WEEE” means WEEE from products put on the market before 13 August 2005;

“the Minister” means the Minister with responsibility for the environment;

“prevention” means measures aimed at reducing the quantity and the harmfulness to the environment of WEEE and materials and substances contained therein;

“producer” means any person who, irrespective of the selling technique used, including by means of distance communication in accordance with 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—

- (i) manufactures and sells electrical and electronic equipment under his own brand, or
- (ii) resells under his own brand equipment produced by other suppliers, a reseller not being regarded as the producer if the brand of the producer appears on the equipment, as provided for in paragraph (i), or
- (iii) imports or exports electrical and electronic equipment on a professional basis into Gibraltar or out of Gibraltar;

whoever exclusively provides financing under or pursuant to any finance agreement shall not be deemed to be a producer unless he also acts as a producer within the meaning of paragraphs (i) to (iii);

“put on the market” means when electrical and electronic equipment, materials or components thereof are transferred from the manufacturing stage with the intention of distribution on the market in Gibraltar and “putting a product on the market” shall be construed accordingly;

“recycling” means the reprocessing in a production process of the waste materials for the original purpose or for other purposes, but excluding energy recovery which means the use of combustible waste as a means of generating energy through direct incineration with or without other waste but with recovery of the heat;

“recovery” means any of the applicable operations provided for in Annex IIB to Directive 75/442/EEC;

“reuse” means any operation by which WEEE or components thereof are used for the same purpose for which they were conceived, including the continued use of the equipment or components thereof which are returned to collection points, distributors, recyclers or manufacturers;

“treatment” means any activity after the WEEE has been handed over to a facility for depollution, disassembly, shredding, recovery or preparation for disposal and any other operation carried out for the recovery or the disposal of the WEEE, or both;

“waste electrical and electronic equipment” means electrical or electronic equipment which is waste, including all components, subassemblies and consumables which are part of the product at the time of discarding;

“WEEE” means waste electrical and electronic equipment as defined herein;

“WEEE from private households” means WEEE which comes from private households and from commercial, industrial, institutional and other sources which, because of its nature and quantity, is similar to that from private households.

(2) Any term used, but not defined, shall be construed in accordance with the provisions of the Directive.

### **Application.**

3.(1) These Regulations shall apply to electrical and electronic equipment falling under the categories set out in Part I of Schedule 1 provided that the equipment concerned is not part of another type of equipment that does not fall within the scope of these Regulations.

(2) Part II of Schedule 1 contains a list of products which fall under the categories set out in Part I of Schedule 1.

(3) Nothing in these Regulations shall affect the application of existing Community legislation on waste management or on health and safety requirements.

(4) Equipment which is connected with the protection of the essential interests of the security of member States, arms, munitions and war material shall be excluded from these Regulations. This does not, however, apply to products which are not intended for specifically military purposes.

### **Product design.**

4.(1) Where EEE is manufactured in Gibraltar, the Competent Authority shall encourage the design and production of that EEE in a manner which takes into account and facilitates dismantling and recovery, in particular the reuse and recycling of WEEE, their components and materials.

(2) The Competent Authority shall take necessary measures to ensure that producers shall not prevent, through specific design features or manufacturing processes, WEEE from being reused, unless such specific design features or manufacturing processes present overriding advantages, such as with regard to the protection of the environment or safety requirements, or both.

### **Separate collection.**

5.(1) The Competent Authority shall take necessary measures to ensure that the disposal of WEEE as unsorted municipal waste is minimized and a high level of separate collection of WEEE is achieved.

(2) For WEEE from private households, the Competent Authority shall take necessary measures to ensure—

- (a) that economic operators use existing systems or set up systems for the collection of such waste allowing holders of such waste to return it at least free of charge;
- (b) the availability and accessibility of the necessary collection facilities, taking into account in particular the population density;
- (c) that when supplying a new product, distributors shall ensure that such waste can be returned to the distributor at least free of charge on a one-to-one basis as long as the equipment is of equivalent type and has fulfilled the same functions as the supplied equipment;
- (d) that, without prejudice to paragraphs (a), (b), and (c) and sub-regulation (3) producers shall be allowed to set up and operate individual or collective take-back systems, or both, for WEEE from private households provided that these are in line with the objectives of the Directive;
- (e) that having regard to health and safety standards, WEEE that presents a health and safety risk to personnel because of contamination may be refused for return under paragraphs (a), (b) and (c) and sub-regulation (3) and that specific arrangements shall be made for such WEEE; and
- (f) that specific arrangements for the return of WEEE under paragraphs (a), (b) and (c) and subregulation (3) may be provided for if the equipment does not contain the essential components or if the equipment contains waste other than WEEE.

(3) The Competent Authority may exempt distributors from paragraph (c) of sub-regulation (2) provided they ensure that returning the WEEE is not thereby made more difficult for the final holder and provided that these systems remain free of charge for the final holder.

(4) In the case of WEEE other than WEEE from private households, the Competent Authority shall take necessary measures to ensure that producers or third parties acting on their behalf provide for the collection of such waste.

(5) The Competent Authority shall take necessary measures to ensure that—



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- (a) all WEEE collected under sub-regulations (1) to (4) shall be transported to treatment facilities authorised under Article 6 of the Directive unless the appliances are reused as a whole;
- (b) the envisaged reuse shall not lead to a circumvention of these Regulations, in particular as regards regulations 6 and 7;
- (c) the collection and transport of separately collected WEEE shall be carried out in a way which optimises reuse and recycling of those components or whole appliances capable of being reused or recycled.

(6) Without prejudice to sub-regulation (1), the Competent Authority shall take necessary measures to ensure that until a new mandatory target is set under Article 5 of the Directive, a rate of separate collection of at least four kilograms on average per inhabitant per year of WEEE from private households is achieved.

**Treatment.**

6.(1) The Competent Authority shall take necessary measures to ensure that—

- (a) producers or third parties acting on their behalf shall set up systems, individually or collectively, or both, in accordance with any existing laws and regulations, to provide for the treatment of WEEE using the best available treatment, recovery and recycling techniques;
- (b) the treatment shall, as a minimum, include the removal of all fluids and a selective treatment in accordance with Article 4 of Directive 75/442/EEC, and in compliance with Schedule 2 to these Regulations, without prejudice to any other relevant regulations on health and environment;
- (c) any establishment or undertaking carrying out treatment operations shall hold a valid permit from the Competent Authority;
- (d) the derogation from the permit requirement referred to in the provisions of Article 11(1)(b) of Directive 75/442/EEC, may apply to recovery operations concerning WEEE provided that an inspection is carried out by the Competent Authority before the registration in order to ensure compliance with the provisions of Article 4 of that Directive;

- (e) the inspection referred to in paragraph (d) hereof shall verify—
  - (i) the type and quantities of waste to be treated;
  - (ii) the general technical requirements to be complied with;  
and
  - (iii) the safety precautions to be taken;
- (f) the inspection referred to in paragraphs (d) and (e) hereof shall be carried out at least once a year;
- (g) any establishment or undertaking carrying out treatment operations shall store and treat WEEE in compliance with the technical requirements set out in Schedule 3;
- (h) the permit or the registration referred to in paragraphs (c) and (d) hereof shall include all conditions necessary for compliance with the requirements of paragraphs (a), (b) and (g) hereof and with the requirements referred to in subregulation (2) of this regulation for the achievement of the recovery targets set out in regulation 7;
- (i) establishments or undertakings which carry out treatment operations shall, as far as practicable, introduce certified environmental management systems in accordance with Regulation (EC) No.761/2001 of the European Parliament and of the Council of 19 March 2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS):

Provided that the treatment operation may be undertaken outside Gibraltar or the Community provided that the shipment of WEEE shall be in compliance with Council Regulation (EEC) No.259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community: and

Provided further that WEEE exported out of the Community in line with Council Regulation (EEC) No.259/93, Council Regulation (EC) No.1420/1999 of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste and Commission Regulation (EC) No.1547/1999 of 12 July 1999 determining the control procedures under Council Regulation (EEC) No.259/93 to apply to shipments of certain types of waste to certain

countries to which OECD Decision C(92)39 final does not apply, shall only count for the fulfilment of obligations and targets of regulation 7 if the exporter can prove that the recovery, reuse or recycling operation, or both, took place under conditions that are equivalent to the requirements of these Regulations.

(2) Without prejudice to paragraphs (a) and (b) of subregulation (1) hereof, and for the purposes of environmental protection, the Competent Authority may set up minimum quality standards for the treatment of collected WEEE.

### **Recovery.**

7.(1) The Competent Authority shall take necessary measures to ensure that—

- (a) producers or third parties acting on their behalf shall set up systems, individually or collectively, or both, in accordance with any existing laws and regulations, to provide for the recovery of WEEE collected separately in accordance with regulation 5;
- (b) priority shall be given to the reuse of whole appliances provided that such appliances shall not be taken into account for the calculation of the targets set out in subregulation (2) hereof; and
- (c) the development of new recovery, recycling and treatment technologies shall be encouraged.

(2) Regarding WEEE sent for treatment in accordance with regulation 6 of these Regulations, the Competent Authority shall take necessary measures to ensure that producers shall meet the following targets—

- (a) for WEEE falling under categories 1 and 10 of Part 1 of Schedule 1—
  - (i) the rate of recovery shall be a minimum of 80 % by an average weight per appliance, and
  - (ii) component, material and substance reuse and recycling shall be a minimum of 75% by an average weight per appliance;

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- (b) for WEEE falling under categories 3 and 4 of Part I of Schedule 1–
  - (i) the rate of recovery shall be a minimum of 75% by an average weight per appliance, and
  - (ii) component, material and substance reuse and recycling shall be a minimum of 65% by an average weight per appliance;
- (c) for WEEE falling under categories 2, 5, 6, 7 and 9 of Part I of Schedule 1–
  - (i) the rate of recovery shall be a minimum of 70% by an average weight per appliance, and
  - (ii) component, material and substance reuse and recycling shall be a minimum of 50% by an average weight per appliance;
- (d) for gas discharge lamps, the rate of component, material and substance reuse and recycling shall be a minimum of 80% by weight of the lamps:

Provided that, for the purpose of calculating these targets, producers or third parties acting on their behalf shall keep records on the mass of WEEE, their components, materials or substances when entering (input) and leaving (output) the treatment facility or when entering (input) the recovery or recycling facility, or both when entering and leaving the treatment facility and when entering the recovery or recycling facility.

**Financing of WEEE.**

8. The financing of all WEEE including all historical WEEE shall be by means of the levy provided for in Part II of these Regulations.

**Information to consumers.**

9.(1) The Competent Authority shall take necessary measures to ensure that users of electrical and electronic equipment in private households with the necessary information about–

- (a) the requirement not to dispose of WEEE as unsorted municipal waste and to collect such WEEE separately;

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- (b) the return and collection systems available to them;
- (c) their role in contributing to reuse, recycling and other forms of recovery of WEEE;
- (d) the potential effects on the environment and human health as a result of the presence of hazardous substances in electrical and electronic equipment;
- (e) the meaning of the symbol shown in Schedule 4.

(2) With a view to minimising the disposal of WEEE as unsorted municipal waste and to facilitating its separate collection, producers shall appropriately mark electrical and electronic equipment put on the market after the 13 August, 2005 with the symbol shown in Schedule 4:

Provided that, in exceptional cases, where this is necessary because of the size or the function of the product, the symbol shall be printed on the packaging, on the instructions for use and on the warranty of the electrical and electronic equipment.

**Information for treatment facilities.**

10. In order to facilitate the reuse and the correct and environmentally sound treatment of WEEE, including maintenance, upgrade, refurbishment and recycling, the Competent Authority shall take necessary measures to ensure that—

- (a) producers shall provide reuse and treatment information for each type of new EEE put on the market within one year after the equipment is put on the market;
- (b) the information referred to in paragraph (a) hereof shall identify, as far as it is needed by reuse centres treatment and recycling facilities in order to comply with the provisions of these Regulations, the different EEE components and materials, as well as the location of dangerous substances and preparations in EEE;
- (c) producers of EEE shall make available the information referred to in paragraphs (a) and (b) hereof to reuse centres treatment and recycling facilities in the form of manuals or by means of electronic media (such as CD-ROM, online services);

- (d) any producer of an electrical or electronic appliance put on the market after the 13 August, 2005 shall ensure that it is clearly identifiable by a mark on the appliance that shall specify that the latter was put on the market after the 13 August, 2005 in order to enable the date upon which the appliance was put on the market to be determined unequivocally.

**Information and reporting.**

11.(1) The Competent Authority shall maintain a register which shall record—

- (a) producers of EEE in Gibraltar; and
- (b) information, including substantiated estimates, on an annual basis on the quantities and categories of electrical and electronic equipment put on the market, collected through all routes, reused, recycled and recovered, and on collected waste exported, by weight or, if this is not possible, by numbers in accordance with the Commission Decision 2005/369/EC of 3 May 2005 laying down rules for monitoring compliance of Member States and establishing data formats for the purposes of Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment.

(2) The Competent Authority shall communicate the information collected under subregulation (1) to the Commission in accordance with the timescales set out in Article 12 of the Directive and using the forms set out in Schedule 5.

**Distance selling.**

12.(1) A producer who puts EEE on the market other than in Gibraltar shall comply with the requirements set out in Article 8 of the Directive for the EEE that he puts on the market.

(2) A producer to whom paragraph (1) applies shall provide the Competent Authority with information that demonstrates that he has complied with his obligation under paragraph (1) and shall keep records in writing of the following information—

- (a) the amount by weight of all EEE which he has put on the market in any member State on or after 1st July 2007;

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- (b) the categories of the EEE referred to in sub-paragraph (a) by reference to—
  - (i) the categories listed in Part I of Schedule 1 (excluding display equipment, cooling appliances containing refrigerants and gas discharge lamps),
  - (ii) display equipment,
  - (iii) cooling appliances containing refrigerants, and
  - (iv) gas discharge lamps; and
- (c) for each category referred to in sub-paragraph (b), the amount by weight of EEE intended for use by—
  - (i) private households; and
  - (ii) users other than private households; and
- (d) details of compliance with the requirements of Article 8(4) of the Directive.

(3) The records referred to in this regulation shall be kept for a period of at least four years commencing on the date on which any such record is made and shall be made available to the Competent Authority on demand.

**Inspection and monitoring.**

13. The Competent Authority shall take necessary measures to ensure that inspection and monitoring shall enable the proper implementation of these Regulations to be verified, having regard, inter alia, to Recommendation 2001/331/EC of the European Parliament and the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States.

**Enforcement Notices.**

14.(1) Where these Regulations impose a duty on the Competent Authority and, in order for the Competent Authority to discharge that duty, the Competent Authority requires that a person take certain action (including providing such information as the Competent Authority requires), or to desist from taking certain action, the Competent Authority may issue an Enforcement Notice.

(2) An Enforcement Notice issued under subregulation (1) shall be in writing and shall set out the steps which the person to whom the notice is addressed is required to take and the time for compliance.

(3) A person who has been issued with an Enforcement Notice and fails to comply with that notice, or fails to comply within the time therein set out, is guilty of an offence and is liable on summary conviction to a fine up to level 5 on the standard scale and on conviction on indictment to a fine not exceeding £10,000.

## **PART II WASTE CONTRIBUTION**

### **Waste contribution.**

15.(1) A person who imports into Gibraltar electrical and electronic equipment falling under Part I of Schedule 1 shall at the time of importation into Gibraltar be liable to the payment of a levy to pay for the cost of disposal in the manner provided for by the Directive and these Regulations and that levy shall be referred to as the “waste contribution”.

(2) A person who imports into Gibraltar goods falling under Part III of Schedule 1 shall at the time of importation into Gibraltar be liable to the payment of the levy described in subregulation (1).

### **Rate of waste contribution.**

16.(1) The Minister shall by a Notice published in the Gazette set the rate of the waste contribution and that Notice may make provision for different rates to be applied to different categories of waste provided for in Schedule 1.

(2) In setting the level of waste contribution in respect of WEEE the Minister shall have regard to the actual costs of disposing of WEEE (including historical WEEE) in accordance with the Regulations and the Directive and shall aim to keep the level of the contribution as close as possible to the actual costs of disposal prevailing at that time.

(3) The Minister shall review the rate of the waste contribution at least once in each calendar year and in conducting that review the Minister shall have particular regard to subregulation (2) and where appropriate the rate of the waste contribution shall be varied.

### **Liability for waste contribution.**



17. Liability for the waste contribution arises irrespective of whether the goods are liable to import duty.

**Collector of Customs to collect waste contribution.**

18. The Collector of Customs shall be responsible for the collection of the waste contribution at the rates prescribed under regulation 16.

**Powers of customs officer.**

19. Customs officers shall exercise the powers granted to them under the Imports and Exports Act 1986 in relation to the collection of the waste contribution as if the waste contribution were an import duty imposed under that Act.

**Consolidated fund.**

20. The waste contribution levied and collected shall be paid into the Consolidated Fund.

**Amendment of Schedules.**

21. The Minister may by notice in the Gazette amend the Schedules to these Regulations.

**Schedule 1**

Regulation 3

**Part I**

**Categories of electrical and electronic equipment covered by these Regulations**

1. Large household appliances
2. Small household appliances
3. IT and telecommunications equipment
4. Consumer equipment
5. Lighting equipment
6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)
7. Toys, leisure and sports equipment
8. Medical devices (with the exception of all implanted and infected products)
9. Monitoring and control instruments
10. Automatic dispensers

**Part II**

**List of products which shall be taken into account for the purpose of these Regulations and which fall under the categories of Part I**

1. **Large household appliances**
  - 1.1 Large cooling appliances
  - 1.2 Refrigerators
  - 1.3 Freezers
  - 1.4 Other large appliances used for refrigeration, conservation and storage of food
  - 1.5 Washing machines
  - 1.6 Clothes dryers
  - 1.7 Dish washing machines
  - 1.8 Cooking
  - 1.9 Electric stoves
  - 1.10 Electric hot plates
  - 1.11 Microwaves
  - 1.12 Other large appliances used for cooking and other processing of food
  - 1.13 Electric heating appliances
  - 1.14 Electric radiators
  - 1.15 Other large appliances for heating rooms, beds, seating furniture
  - 1.16 Electric fans
  - 1.17 Air conditioner appliances

1.18 Other fanning, exhaust ventilation and conditioning equipment

## **2. Small household appliances**

- 2.1 Vacuum cleaners
- 2.2 Carpet sweepers
- 2.3 Other appliances for cleaning
- 2.4 Appliances used for sewing, knitting, weaving and other processing for textiles
- 2.5 Irons and other appliances for ironing, mangling and other care of clothing
- 2.6 Toasters
- 2.7 Fryers
- 2.8 Grinders, coffee machines and equipment for opening or sealing containers or packages
- 2.9 Electric knives
- 2.10 Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances
- 2.11 Clocks, watches and equipment for the purpose of measuring, indicating or registering time
- 2.12 Scales

## **3. IT and telecommunications equipment**

- 3.1 Centralised data processing
  - 3.1.1 Mainframes
  - 3.1.2 Minicomputers
  - 3.1.3 Printer units.
- 3.2 Personal computing:
  - 3.2.1 Personal computers (CPU, mouse, screen and keyboard included)
  - 3.2.2 Laptop computers (CPU, mouse, screen and keyboard included)
  - 3.2.3 Notebook computers
  - 3.2.4 Notepad computers
  - 3.2.5 Printers
  - 3.2.6 Copying equipment
  - 3.2.7 Electrical and electronic typewriters
  - 3.2.8 Pocket and desk calculators
  - 3.2.9 Other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means
  - 3.2.10 User terminals and systems
  - 3.2.11 Facsimile
  - 3.2.12 Telex
  - 3.2.13 Telephones
  - 3.2.14 Pay telephones

- 3.2.15 Cordless telephones
- 3.2.16 Cellular telephones
- 3.2.17 Answering systems
- 3.2.18 Other products or equipment of transmitting sound, images or other information by telecommunications

**4. Consumer equipment**

- 4.1 Radio sets
- 4.2 Television sets
- 4.3 Videocameras
- 4.4 Video recorders
- 4.5 Hi-fi recorders
- 4.6 Audio amplifiers
- 4.7 Musical instruments
- 4.8 And other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications

**5. Lighting equipment**

- 5.1 Luminaires for fluorescent lamps with the exception of luminaires in households
- 5.2 Straight fluorescent lamps
- 5.3 Compact fluorescent lamps
- 5.4 High intensity discharge lamps, including pressure sodium lamps and metal halide lamps
- 5.5 Low pressure sodium lamps
- 5.6 Other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs

**6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)**

- 6.1 Drills
- 6.2 Saws
- 6.3 Sewing machines
- 6.4 Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials
- 6.5 Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses
- 6.6 Tools for welding, soldering or similar use

- 6.7 Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means
- 6.8 Tools for mowing or other gardening activities

## **7. Toys, leisure and sports equipment**

- 7.1 Electric trains or car racing sets
- 7.2 Hand-held video game consoles
- 7.3 Video games
- 7.4 Computers for biking, diving, running, rowing, etc.
- 7.5 Sports equipment with electric or electronic components
- 7.6 Coin slot machines

## **8. Medical devices (with the exception of all implanted and infected products)**

- 8.1 Radiotherapy equipment
- 8.2 Cardiology
- 8.3 Dialysis
- 8.4 Pulmonary ventilators
- 8.5 Nuclear medicine
- 8.6 Laboratory equipment for *in-vitro* diagnosis
- 8.7 Analysers
- 8.8 Freezers
- 8.9 Fertilization tests
- 8.10 Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability

## **9. Monitoring and control instruments**

- 9.1 Smoke detector
- 9.2 Heating regulators
- 9.3 Thermostats
- 9.4 Measuring, weighing or adjusting appliances for household or as laboratory equipment
- 9.5 Other monitoring and control instruments used in industrial installations (e.g. in control panels)

## **10. Automatic dispensers**

- 10.1 Automatic dispensers for hot drinks
- 10.2 Automatic dispensers for hot or cold bottles or cans
- 10.3 Automatic dispensers for solid products
- 10.4 Automatic dispensers for money
- 10.5 All appliances which deliver automatically all kind of products

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## Environment

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### **Part III**

**Other categories waste by these Regulations**

SCHEDULE 2

**Selective treatment for materials and components of waste electrical and electronic equipment**

Regulation 6(1)

1. As a minimum the following substances, preparations and components have to be removed from any separately collected WEEE:

- polychlorinated biphenyls (PCB) containing capacitors in accordance with Council Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT);
- mercury containing components, such as switches or backlighting lamps;
- batteries;
- printed circuit boards of mobile phones generally, and of other devices if the surface of the printed circuit board is greater than 10 square centimetres;
- toner cartridges, liquid and pasty, as well as colour toner;
- plastic containing brominated flame retardants;
- asbestos waste and components which contain asbestos;
- cathode ray tubes;
- chlorofluorocarbons (CFC), hydrochlorofluorocarbons (HCFC) or hydrofluorocarbons (HFC), hydrocarbons (HC);
- gas discharge lamps;
- liquid crystal displays (together with their casing where appropriate) of a surface greater than 100 square centimetres and all those backlit with gas discharge lamps;
- external electric cables;
- components containing refractory ceramic fibres as described in Commission Directive 97/69/EC of 5 December 1997 adapting to

technical progress Council Directive 67/548/EEC relating to the classification, packaging and labelling of dangerous substances;

- components containing radioactive substances with the exception of components that are below the exemption thresholds set in Article 3 of and Annex I to Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation; and
- electrolyte capacitors containing substances of concern (height > 25mm, diameter > 25 mm or proportionately similar volume).

These substances, preparations and components shall be disposed of or recovered in compliance with Article 4 of Council Directive 75/442/EEC.

2. The following components of WEEE that is separately collected have to be treated as indicated:

- cathode ray tubes: the fluorescent coating has to be removed;
- equipment containing gases that are ozone depleting or have a global warming potential (GWP) above 15, such as those contained in foams and refrigeration circuits: the gases must be properly extracted and properly treated. Ozone-depleting gases must be treated in accordance with Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer; and
- gas discharge lamps: the mercury shall be removed.

3. Taking into account environmental considerations and the desirability of reuse and recycling, paragraphs 1 and 2 shall be applied in such a way that environmentally-sound reuse and recycling of components or whole appliances is not hindered.



**Schedule 3**

**Technical requirements**

Regulation 6(1)(g)

1. Sites for storage (including temporary storage) of WEEE prior to their treatment (without prejudice to the requirements of Council Directive 1999/31/EC):
  - impermeable surfaces for appropriate areas with the provision of spillage collection facilities and, where appropriate, decanters and cleanser degreasers; and
  - weatherproof covering for appropriate areas.
2. Sites for treatment of WEEE:
  - balances to measure the weight of the treated waste;
  - impermeable surfaces and waterproof covering for appropriate areas with the provision of spillage collection facilities and, where appropriate, decanters and cleanser-degreasers;
  - appropriate storage for disassembled spare parts;
  - appropriate containers for storage of batteries, PCBs/PCTs containing capacitors and other hazardous waste such as radioactive waste; and
  - equipment for the treatment of water in compliance with health and environmental regulations.

**Schedule 4**

**Symbol for the marking of electrical and electronic equipment**

Regulation 9

The symbol indicating separate collection for electrical and electronic equipment consists of the crossed-out wheeled bin, as shown below.

The symbol must be printed visibly, legibly and indelibly.



Schedule 5

Forms

Regulation 11

Waste electrical and electronic equipment (WEEE) collected and exported (Articles 5 and 12 of Directive 2002/96/EC)

Column number	Product category	1	2	3	4	5	6	7
		Put on the market Total weight (t) tonnes	Collected from private households Total weight tonnes	Collected other than from private households Total weight tonnes	Total WEEE collected Total weight tonnes	Treated in the Member State Total weight tonnes	Treated in another Member State Total weight tonnes	Treated outside the EC Total weight tonnes
1.	Large household appliances							
2.	Small household appliances							
3.	IT and telecommunications equipment							
4.	Consumer equipment							
5.	Lighting equipment							
5a.	Gas discharge lamps							
6.	Electrical and electronic tools							
7.	Toys, leisure and sports equipment							
8.	Medical devices							
9.	Monitor and control instruments							
10.	Automatic dispensers							

(t) If data is not possible, by numbers.

Recovery, recycling and reuse, targets (Article 7(2) of Directive 2002/96/EC)

Column number Product category	1 Recovery Total weight (%) reuse		2 Recovery rate %	3 Reuse and recycling Total weight reuse		4 Reuse and recycling rate %	5 WEEE treated as whole appliance Total weight reuse
	1. Large household appliances						
2. Small household appliances							
3. IT and telecommunications equipment							
4. Consumer equipment							
5. Lighting equipment							
5a. Gas discharge lamps	n/a		n/a				
6. Electrical and electronic tools							
7. Toys, leisure and sports equipment							
8. Medical devices							
9. Monitor and control instruments							
10. Automatic dispensers							

NB: Grey boxes mean that the data need only be reported on a voluntary basis.  
(\*) If this is not possible, by numbers.