

Introduction changes scope Dutch WEEE Directive Transitional arrangement 2018

As of 15 August 2018, changes regarding the scope will enter into force. This document specifies what these changes mean and in which way producers and recyclers (hereafter: rapporteurs) should report. This document has been coordinated with the Ministry of Infrastructure and Water Management, Rijkswaterstaat (the Department of Public Works), and the Human Environment and Transport Inspectorate. It has been attempted to create a transitional regulation in which the administrative costs for the rapporteurs to the Nationaal (W)EEE Register is limited.¹

The following changes have been made:

- a) **New products due to an 'open scope'** – In addition to the current products, there will be extra products which will fall under the scope of the regulation.
- b) **New exceptions** – New, extra exceptions apply. This causes various products to fall outside of the scope, which are at present still within the scope.
- c) **New categorisation** – A transition is made from reporting using 10 product categories to reporting using 6 product categories for all products.

In order to keep the reporting clear and comparable, the following effective dates apply:

- a) **New products due to 'open scope'** – 15 August 2018
- b) **New exceptions** – 15 August 2018
- c) **New categorisation** – 1 January 2019

In the period between 15 August 2018 and 31 December 2018, the new products due to an open scope can be reported using a temporary extra (eleventh) product category. As of 1 January 2019, all products in the 'open scope' are reported using the 6 product categories.

Producer collectives can at their own initiative ask their participants to submit an annual statement over (a group of) new products, in order to obtain a clearer image of the total market. However, this statement should be balanced with the period over which reports are to be made (15 August to 31 December 2018).

Situations

In order to make the transition clearer, we have distinguished the following situations:

- 1) **No changes** – Rapporteurs which already fall under the regulation and for whom no new scope or exceptions apply.
- 2) **Expansion** – Rapporteurs which already fall under the regulation and for whom extra products will fall under the regulation due to open scope.
- 3) **New** - Rapporteurs which do not yet fall under the regulation, but which will fall under the regulation due to an open scope.
- 4) **Reduction** - Rapporteurs which already fall under the regulation but for whom less products will fall under the regulation due to new exceptions.
- 5) **Unsubscription** - Rapporteurs which currently fall under the regulation but for whom no products will fall under the regulation due to new exceptions.
- 6) **Combi** - Rapporteurs which currently fall under the regulation for a product which will soon be an exception, and for whom a new product will fall under the regulation due to open scope.

¹ The reporting obligation of the marketed Electrical and Electronic Equipment has been provided in Article 19 Paragraph 3 of the Dutch WEEE Directive (implementation of Article 16 Paragraph 2, under b and c, and attachment X, section b, of the AEEA guideline, which attachment refers to the category classification I (existing) and III (new)). The registration obligation for rapporteurs which for the first time fall under the scope of the Directive (as of 15 August 2018) is based on article 19 (implementation of Article 16 Paragraph 2, under a, of the guideline).

- 7) **All** - Rapporteurs which currently fall under the regulation but for whom their product classification shifts due to extra products from the new scope and new exceptions.

Reporting

The reporting in the transitional year of 2018 has three elements:

- **Existing reporting** – Reporting of products for which nothing will change, in the existing 10 product categories in the existing report form.
- **Addition of new products due to open scope** – Reporting of products which will fall under the regulation as of 15 August 2018, in a temporary product category (category 11) added to the existing report form.
- **Offsetting new exceptions** – Reporting of products which have fallen outside of the regulation in the existing 10 categories until 14 August 2018. It should be indicated in which categories the exceptions were and what the scope of the reduction is compared to the annual total.

Reporting per situation

The different situations feature varying reporting obligations over the transitional year of 2018, as indicated in the table below. Please refer to Attachment I for an extensive explanation.

Situation/Element		Existing reporting	Added products	Offsetting exceptions
1	No changes	X		
2	Expansion	X	X	
3	New		X	
4	Reduction	X		X
5	Unsubscription			X
6	Combi		X	X
7	All	X	X	X

Date

The date before which the reporting on the preceding calendar year has to be submitted to the register (Article 19 paragraph 3) is maintained for all types of rapporteurs on 1 May.

Contribution

The contribution to the Nationaleal (W)EEE Register per producer will be calculated pro rata.

Reporting obligation	Days	Group(s)	Rate
Whole year	365	1, 2, 4 and 6	Full
Until 14 August	257	5	Rate/365*257
As of 15 August	108	3	Rate/365*108

In a separate report, collectives should notify the Nationaleal (W)EEE Register of the number of producers per category, so that the total contribution for 2018 can be calculated. A condition for the implementation of the contribution pro rata is that new producers are reported using the new category, and that an explanation of the offsetting of new exceptions is provided for unsubscribing producers.

Documents

- [AEEA regulation](#)
- [Guideline scope AEEA regulation](#)

Attachment I – Reporting per situation

In the examples, a product from the existing scope is used (washing machine), a new product due to open scope (e-bike), and a product which will become an exception (cooling system as a large fixed installation intended for professional use, hereafter: cooling system). Of all products reported by all rapporteurs in the example below, 365 kg per annum per product is marketed/processed (fictional).

Group	Type	Description	Existing reporting	Added products	Offsetting exceptions	Example
1	No changes	Rapporteurs which already fall under the regulation and for whom no new scope or exceptions apply.	365 kg washing machines in cat. 1			<i>Rapporteurs of only washing machines</i> <ul style="list-style-type: none"> Reports according to the existing reporting of washing machines which have been marketed in the whole of 2018 (in 10 categories, this case category 1)
2	Expansion	Rapporteurs which already fall under the regulation and for whom extra products will fall under the regulation due to open scope.	365 kg washing machines in cat. 1	108 kg e-bikes in cat. 11		<i>Rapporteurs of washing machines and e-bikes</i> <ul style="list-style-type: none"> Reports according to the existing reporting of washing machines which have been marketed in the whole of 2018 (in 10 categories, this case category 1) Reports in the temporary extra category e-bikes which have been marketed as of 15 Aug. 2018 (category 11)
3	New	Rapporteurs which do not yet fall under the regulation, but whom will fall under the regulation due to an open scope.		108 kg e-bikes in cat. 11		<i>Rapporteurs of only e-bikes</i> <ul style="list-style-type: none"> Reports in the temporary extra category e-bikes which have been marketed as of 15 Aug. 2018 (category 11)
4	Reduction	Rapporteurs which already fall under the regulation but for whom less products will fall under the regulation due to new exceptions.	365 kg washing machines in cat. 1		257 kg cooling systems in cat. 1	<i>Rapporteurs of washing machines and cooling systems</i> <ul style="list-style-type: none"> Reports according to the existing reporting of washing machines which have been marketed in the whole of 2018 (in 10 categories, this case category 1) Reports according to the existing reporting of cooling systems which have been marketed until 14 Aug. 2018, and explains the impact on the category in question (in 10 categories, in this case category 1)
5	Unsubscription	Rapporteurs which currently fall under the regulation but for whom no products will fall under the regulation due to new exceptions.			257 kg cooling systems in cat. 1	<i>Rapporteurs of cooling systems</i> <ul style="list-style-type: none"> Reports according to the existing reporting of cooling systems which have been marketed until 14 Aug. 2018, and explains the impact on the category in question (in 10 categories, in this case category 1)
6	Combi	Rapporteurs which currently fall under the regulation for a product which will soon be an exception, and for whom a new product will fall under the regulation due to open scope.		108 kg e-bikes in cat. 11	257 kg cooling systems in cat. 1	<i>Rapporteurs of e-bikes and cooling systems</i> <ul style="list-style-type: none"> Reports in the temporary extra category e-bikes which have been marketed as of 15 Aug. 2018 (category 11) Reports according to the existing reporting of cooling systems which have been marketed until 14 Aug. 2018, and explains the impact on the category in question (in 10 categories, in this case category 1)
7	All	Rapporteurs which currently fall under the regulation but for which their product classification shifts due to extra products from the new scope and new exceptions.	365 kg washing machines in cat. 1	108 kg e-bikes in cat. 11	257 kg cooling systems in cat. 1	<i>Rapporteurs of washing machines, e-bikes, and cooling systems</i> <ul style="list-style-type: none"> Reports according to the existing reporting of washing machines which have been marketed in the whole of 2018 (in 10 categories, this case category 1) Reports in the temporary extra category e-bikes which have been marketed as of 15 Aug. 2018 (category 11) Reports according to the existing reporting of cooling systems which have been marketed until 14 Aug. 2018, and explains the impact on the category in question (in 10 categories, in this case category 1)

