



VCA - WEEE Enforcement Policy

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Practice document](#)

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THE VCA'S PRIORITIES FOR ENFORCING THE WEEE REGULATIONS

This note summarises the VCA's priorities for enforcing the consumer-facing obligations of the Waste Electrical and Electronic Equipment (WEEE) Regulations 2006. Any action taken by us will be in line with our published Enforcement and Prosecution Policy. You should read this statement of priorities in conjunction with that policy.

Background

Every year, the UK throws away around two million tonnes of waste electrical and electronic equipment. It is one of the fastest growing waste streams in the UK and the EU. In January 2003, the EU adopted the Waste Electrical and Electronic Equipment (WEEE) Directive to deal with this waste. The Directive will improve the way WEEE is managed and reduce its environmental impact. More waste will be collected for treatment and recovery and less will go to landfill.

Waste Electrical and Electronic Equipment (WEEE) Regulations 2006

The WEEE Regulations, which implement the WEEE Directive in the UK, came into force on 2 January 2007. They affect everyone who uses, supplies, treats or disposes of WEEE as well as those that produce electrical and electronic equipment (EEE). Any business that manufactures, re-brands or imports electrical and electronic equipment (EEE) is known as a 'producer'. A "distributor" for the purposes of the WEEE Directive and Regulations supplies EEE to household end-users, irrespective of the method of supply; this includes sale, hire, lease and free provision of EEE. Distributor includes wholesalers, retailers, and distance-sellers and producers who sell products direct to household end-users of EEE.

What this means for the groups affected is:

Distributors

We expect all distributors to comply with the WEEE regulations and in particular to:

Provide facilities to enable their customers to return their old equipment free of charge when buying a replacement item.

- Make information available to household end-users of EEE on:

- the requirement on each member State under Article 2 of the Directive to minimise the disposal of WEEE as unsorted municipal waste and to achieve a high level of collection of WEEE for treatment, recovery and environmentally sound disposal;
 - the collection and take back systems available to them;
 - their role in contributing to the reuse, recycling and other forms of recovery of WEEE under these Regulations;
 - the potential effects on the environment and human health,
 - the meaning of the crossed out wheeled bin symbol.
- Keep records of:
- the number of units of WEEE from private households returned to them under the regulations.
 - the number of units of WEEE received from private households that have been returned to the operator of a compliance scheme.
 - the information made available to consumers in relation to the environmental impacts of EEE and the separate collection of household WEEE.

In return, distributors can **expect of us**:

- Guidance on the information required.
- A programme of activities to raise awareness among distributors and encourage compliance with the Regulations.

Producers

We expect all producers of EEE to comply with the WEEE Regulations by marking EEE with the crossed out wheeled bin symbol (Regulation 15 refers).

In return, producers can **expect of us**:

- Guidance on what products need to be marked

All the above groups can expect vigorous action in accordance with our published enforcement and prosecution policy and associated functional guidelines where we identify deliberate non-compliance, including the provision of misleading information.



Our enforcement priorities

Our overall priority is to ensure that everyone affected by the change in the law is aware of his or her responsibilities under the new regulations and has the opportunity to meet them. We will focus our efforts on raising awareness. Whilst ignorance of the law is not a defence, we will normally only take formal enforcement action where we believe that the law has been broken deliberately. When we do take action it will be in line with our published Enforcement and Prosecution Policy.

As awareness of the law relating to WEEE increases, we expect compliance with the regulations to improve. We will use the results of our compliance monitoring to keep our approach under review and will maintain an up-to-date version of this document on our website.

Our Compliance Monitoring

We will monitor compliance of the Regulation using the following methods:

External Concerns

Concerns raised by householders or other stakeholders using our hotline or by email (See details below) about potential non-compliance of the Regulations.

Mystery Shopper

We have a number of Mystery Shoppers sited around the UK. Their role is to gather Market Intelligence about how distributors are complying with the WEEE Regulations. They will not identify themselves to the distributor unless challenged and after their visit they report their findings about compliance of Regulations 31, 33 and 15 to the Enforcement Office.

Enforcement Officers

We have a number of Enforcement Officers sited around the UK. Their role is to ensure that distributors/producers are complying with the WEEE Regulations. They will identify themselves to the distributor at their visit and will identify full/non compliance of Regulations 31, 32, 33 34 and 15. Where we identify non-compliance we will give guidance and action plans will be agreed.



Where to find out more

VCA website:

<http://www.vca.gov.uk/enforcement/wEEE-enforcement.asp>

VCA helpline: 0844 8000 819

Email: wEEE@vca.gov.uk

BIS website: <http://www.berr.gov.uk/whatwedo/sectors/sustainability/wEEE/page30269.html>

Environment Agency website: <http://www.environment-agency.gov.uk/wEEE>

Environment Agency helpline: 08708 506 506

NetRegs website: <http://www.netregs.gov.uk/netregs/topics/WEEE/default.aspx>