



The Waste Electrical and Electronic Equipment Regulations 2006

(referred to hereafter as “the WEEE
Regulations”).

Guidance Notes

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Guidance Notes

The following notes are intended to advise distributors of EEE of their responsibilities under the above regulations.

Distributor obligations for non-household EEE

There are no obligations for distributors in relation to sales of non-household EEE, or for the take-back of non-household WEEE.

However as part of the supply chain for non-household EEE, you may be asked to assist producers and non-household end-users in discharging their obligations under the WEEE Regulations.

Distributor obligations for household EEE

As a distributor of household EEE, you must:

- provide information to consumers in relation to the environmental impacts of EEE & WEEE and the separate collection of household WEEE;
- facilitate the take-back of household WEEE from UK consumers free of charge;
- make and retain records of the information you provide, and any household WEEE that you receive.

These obligations relate to any sales of new EEE, and do not apply to sales of second-hand or reconditioned EEE that has been previously placed on the UK market.

[Information provision by distributors of household EEE](#) *(click for Regulation 33 information template)*

Distributors of household EEE must provide their customers with information on:

- the environmental impacts of hazardous substances in EEE;
- the positive benefits of separate collection and environmentally sound recovery, recycling and diversion from landfill of WEEE, and the reasons why they should not dispose of WEEE with other forms of waste they produce;
- the meaning of the “crossed out wheeled bin” product marking symbol;
- how they can contribute towards re-use, recycling and other forms of recovery of WEEE;
- the arrangements through which you enable your customers to dispose of WEEE free of charge – in particular whether you are a member of the Distributor Take-back Scheme (DTS); whether you provide in-store takeback; or whether you provide some alternative free take-back service.



The Government expects all distributors selling household EEE in the UK to play an active part in promoting the benefits of free take-back of household WEEE. They must provide this information to customers on their retail premises, if they have one, or by some other means connected to their sales (e.g. on web pages).

- Distributors offering in-store take-back must explain clearly that they offer in-store take-back, and how the customer may use this. They must also explain that this option remains available alongside any “collect on delivery” service they may offer.
- Distributors who are members of the Distributor Take-back Scheme must inform their customers of where and how they can discard their WEEE.
- Distributors providing alternative free take-back systems must inform their customers of where and how they can discard their WEEE.

Record keeping

Distributors must retain records for four years of the information they make available to customers. Distributors are not required to keep records of individual interactions with customers.

Distributors who receive WEEE through free take-back must record and retain for four years information about the number of units received, and the number returned to a Producer Compliance Scheme under Regulation 32 of the WEEE Regulations. [Follow this link for Regulation 34 records template.](#)

Free take-back of household WEEE

Distributors of EEE have an important role to play in facilitating the separate collection of household WEEE and as the link between householders returning their WEEE and producers who have obligations to treat, recycle, recover and soundly dispose of this WEEE.

Take-back systems should be widely available and accessible, and enable users to dispose of their household WEEE free of charge. The WEEE Regulations provide distributors of EEE with a choice of how they discharge their take-back obligations. A distributor must:

- join the Distributor Take-back Scheme (DTS) – which will support a network of collection facilities where consumers can dispose of their household WEEE free of charge for environmentally sound treatment and recycling; or
- offer in-store take-back – the distributor must accept free of charge an equivalent item of household WEEE to the new item of household EEE sold to the customer. Where in-store take-back is offered, it must be for all types of EEE that the distributor sells. The principle of free take-back is extended to distance sales as described below; or



- provide an alternative free take-back service, which is available and accessible to customers.

Take-back through the Distributor Take-back Scheme

Members of the Distributor Take-back Scheme must inform their customers of how they can dispose of their WEEE free of charge at a local collection facility supported by the DTS. Membership of the DTS is an alternative to operating in-store take-back. More details on the Distributor Take-back Scheme are provided below.

Take-back in-store

Distributors choosing to implement in-store take-back of household WEEE must do so free of charge and for all types of EEE they sell. In-store takeback applies irrespective of when and where the original item brought for disposal was originally purchased, and without regard to “collect on delivery” services.

The WEEE Directive and WEEE Regulations specify in-store take-back operating on a “like-for-like” basis, where a consumer is purchasing a new product to replace a similar product that he/she wishes to discard.

Distributors are expected to adopt a reasonable and practical approach where they offer take-back, and for a distributor to insist on exact equivalence would run counter to the spirit of the WEEE Directive and Regulations.

Reasonable examples of equivalence would be an old toaster (wherever purchased) for a new toaster, or an old VCR for a DVD player\recorder (this may utilise different technology but has equivalent functions).

A customer should not expect the distributor to accept a television when they buy a kettle, or a washing machine when buying an electric drill.

Customers may prefer to return WEEE some time after making a purchase, e.g. if they need to make a changeover between the old and new equipment, or do not wish to carry WEEE around while shopping for EEE. You should therefore accept WEEE within a reasonable period following a sale – e.g. 28 days. You may wish to endorse the sales receipt to operate effectively such ‘deferred’ in-store take-back of WEEE.

Distributors must record the number of units of WEEE they receive, and retain the records for at least four years.

Alternative free take-back arrangements

Free take-back may also be offered by distributors individually or collectively by establishing a collection facility or service outside store(s), provided that WEEE deposited there is managed in accordance with the WEEE Regulations.

The operator/s of any such facility or facilities should ensure that arrangements are in place for the WEEE to be sent for treatment and recovery in accordance with the WEEE Regulations by either establishing the facility as a DCF, making arrangements with the operator of a DCF to accept the WEEE from the facility, or by returning the WEEE under



Regulation 32. If you wish to establish such alternative arrangements, you should in the first instance contact the DTI.

Provision of Free take-back by distance sellers

A distance seller (e.g. an internet retailer, a mail order retailer or a tele-sales retailer) also needs to fulfill the obligation of providing free takeback facilities for consumers of EEE.

This can be done by:

- joining the Distributor Take-back Scheme which supports a national network of collection facilities; or
- allowing these sales to qualify for in-store take-back through one of their local stores (where these exist); or
- providing the customer with an alternative local route for free take-back. The distributor must tell his customers how they can dispose of WEEE, e.g. through their mail-order adverts, on-screen during on-line sales, and through leaflets included with purchases.

“Collection on delivery” services

Distributors often offer a home-delivery service to customers of large and bulky items of EEE, such as cookers and refrigerators; and sometimes an old product is collected and taken away when the new product is delivered.

“Collection on Delivery” is a service which many distributors choose to offer as a customer service. The fact that a distributor offers Collection on Delivery does not release him from his take-back obligation under the WEEE Regulations.

Distributors may continue to provide Collection on Delivery services to their customers, according to their own practice and policy. Management of WEEE received by distributors If you receive or handle waste EEE under the WEEE Regulations, you should do so in a way that optimises the re-use and recycling of components or whole appliances that are capable of being re-used or recycled. You can do this either by ensuring the WEEE is passed through a designated collection facility (DCF), or by making arrangements with a Producer Compliance Scheme for the direct return of WEEE under Regulation 32.

The WEEE Regulations entitle distributors to dispose of WEEE collected through take-back by passing it on to a Producer Compliance Scheme, who cannot charge for accepting it. You are not entitled to free collection of the WEEE from your stores. In practice, you should contact Producer Compliance Schemes and arrange either for one of them to collect it (possibly charging a transport fee) or for you to consign it to a treatment facility on their behalf. If you use another firm to transport the WEEE, you should make sure they are a registered waste carrier. You must keep records of any WEEE you collect and pass on in this way.

1 SI 2006 No. 3289 – The Waste Electrical and Electronic Equipment Regulations 2006

2 Directive 2002/96/EC of 27 January 2003, (OJ No. L137, 13.2.2003, p. 24)

3 Directive 2003/108/EC of 8 December 2003, (OJ No. L345, 31.12.2003, p. 106)



4 SI 2006 No. 3315 – The Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006
5 SR NI 2006 No. 519 - Waste Electrical and Electronic Equipment (Waste Management Licensing) Regulations (Northern Ireland) 2006