

Waste electrical and electronic equipment (WEEE). Recast

2008/0241(COD) - 18/04/2017 - Follow-up document

In accordance with the requirements of Directive 2012/19/EU on Waste Electrical and Electronic Equipment (the "new WEEE Directive"), this Commission report addresses two aspects:

- a review of the scope of the new WEEE Directive, including parameters for distinguishing between large and small equipment;
- a review of the deadlines for achieving the collection targets and consideration of the possible establishment of individual collection targets, in particular for heat exchange equipment, photovoltaic panels, small equipment, small computer equipment and Telecommunications, and lamps containing mercury.

The main findings of the review are as follows:

1) Review of scope: This review is supported by a study that focused on three aspects of the scope of the new WEEE Directive:

(a) changes to the scope of the Directive - transition from the **10 existing categories in Annex I** of the new WEEE Directive, still applicable during the transitional period from 13 August 2012 to 14 August 2018, to the **6 new categories listed in Annex III**: the study concluded that:

- the new Directive covered all categories of equipment which fell within the scope of the old Directive (Directive 2002/96/EC);
- leaving the scope open should address problems arising from Member States' differences in product classification.

Electrical and electronic equipment to be covered by the new Directive from 2018 onwards are domestic lighting equipment and electric vehicles with two wheels that are not type-approved. The inclusion of these product categories should provide environmental, administrative and economic benefits. The move from the current ten categories to six 'open' categories should increase legal certainty and foster greater harmonization in the implementation of the new Directive.

(b) the distinction between large and small equipment: the study concluded that the limit of an external dimension of 50 cm used to distinguish large and small equipment was feasible and reflected the practical constraints of end-of-lifeoperators.

(c) the differences between the open scope of the new WEEE Directive and the scope of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (Directive LSD): the study concludes that the disadvantages associated with the inclusion in the scope of the WEEE Directive of equipment using electricity only for a secondary function outweigh the potential benefits. The difference between the scope of the WEEE Directive and the RoHS Directive is justified in view of the different objectives and nature of the two Directives.

In the light of the conclusions of the study, **no further modification of the scope of the new Directive is justified**. Changes would also be disruptive at a time when the Member States are still in a period of transition and adaptation to the new definitions and the new scope of the WEEE Directive.

2) Deadlines for achieving individual collection targets and collection targets for one or more categories of electrical and electronic equipment: consultations with key stakeholders and the assessment of the collection rate reported by Member States in recent years show that some Member States may have difficulty meeting the collection targets set for 2019.

On the basis of the assessment carried out, the Commission concludes that **it is not justified to review the deadlines** for achieving the current collection target set out in the WEEE Directive **or to revise the collection target calculated based on the quantity of WEEE produced**. The Commission will provide support and advice to the Member States to remedy the difficulties they face in achieving the objectives.

The Commission also concluded that it is **not appropriate to establish individual collection targets** in the WEEE Directive at this stage.