



Industry Briefing: Waste electricals producer responsibilities & regulations

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Overview: waste electricals producer responsibilities

- The first UK registered company who places electrical and electronic equipment (EEE) on the market is the '**producer**'.
- You are a 'producer' if you manufacture, import or distribute electricals.
- You must register as a producer **annually**, dependent on how much EEE you sell
 - **less than 5 tonnes/ year** - register with your environmental regulator as a small producer.
 - **5 tonnes or more/ year** - pay to join a Producer Compliance Scheme (PCS) who will take on your obligations to finance the collection, treatment, recovering and disposal of WEEE.
- As a producer you must also
 - mark electrical products with the crossed out wheelie bin symbol and a date mark.
 - provide information on reuse and environmentally sound treatment of the products and components (includes materials, dangerous substances and preparations) within one year of putting them on the market.
 - provide your distributors with your producer registration number.

If you do not register as a small producer or join a PCS you are committing an offence and may face enforcement action. Full producer responsibilities detailed on the Gov.uk site [here](#)

Who are Material Focus?

Material Focus is an independent, not-for-profit organisation which is funded through the UK WEEE regulations. Our role is to improve the UK e-waste system and to make it easier for everyone to reuse and recycle electricals. We do this through...

Insights

- Identifying, producing and sharing insightful, timely and impactful research to help build a better UK e-waste/ WEEE system.

Investments

- Identifying and funding projects which help make it easier for people to reuse and recycle electricals.

Inspiration

- Creating and delivering communications which help make it feel easier for people to reuse and recycle electricals through our [Recycle Your Electricals](#) campaign.

What is electrical waste and why is it relevant?

What is electrical waste and the legal regulations?

- Electrical waste/e-waste also known as **Waste Electrical and Electronic Equipment (WEEE)**
 - Most e-waste contains toxic chemicals and is classed as **hazardous waste**
 - If not handled properly at end-of-life they pose a **major threat to the environment**, human health, society, and costs the UK economy through losing precious resources
 - Recovering materials like **steel, aluminium, copper, gold, silver, lithium** and plastics means that we **reduce demand for new materials** that come from mining and drilling and therefore protects land and sea environments.
- e-waste is one of the **fastest-growing sources of waste in the world** – and the UK.
 - 103,000 tonnes of e-waste are thrown away each year by households
 - We have 880 million old electricals stashed away in UK homes.
- Laws requiring producers and retailers to finance and support collection and recycling of electrical and portable battery products at end-of-life have been in place for 15 years.
- If you place **5 tonnes or more** of electricals on the market (as an original manufacturer or as the importer into the UK) you must join a producer compliance scheme (PCS).
- Producers pay the PCS to take on the **producer obligations to finance** the collection, treatment, recovery and environmentally sound disposal of household WEEE
- **Anything with a plug, battery and cable should always be recycled** as a minimum and should never be binned.

Waste electricals producer responsibilities

Summary for producers:

Being a 'producer' means you **manufacture, resell or import electricals** (that includes vapes) in the UK. And this also means you need to comply with UK producer regulations:

1. As a producer of electrical products, you have ['producer' responsibilities](#) to **finance the collection, recycling, and treatment of electrical waste**.
2. If your products contain batteries you'll need to comply with [battery responsibilities](#).
3. If you are selling electricals (including vapes) directly to consumers then you'll need to comply with [distributor responsibilities](#) too.

What you need to do next:

- If you sell or import **less than 5 tonnes** of electrical and electronic equipment (EEE)/ year in the UK, register [here](#) as a **'small producer'** with your national environmental regulator and ensure you meet your legal obligations.*
- If you sell or import **5 tonnes of more** of EEE in the UK, you must join a producer compliance scheme (PCS). You can find the list of WEEE approved Producer Compliance Schemes [here](#). They'll help you meet your legal obligations. We recommend shortlisting a few and discussing your company's specific needs with them.

**Small producers as of 2nd January 2025 will need to register via [WEEE Online](#) rather than through the National Packaging Waste Database*.*

EEE Producers

If you put EEE on the UK market you must follow rules on both the EEE you sell and the EEE that becomes waste (WEEE).

EEE producer: definition

You're a producer of EEE in the UK if you:

- manufacture and sell EEE under your own brand in the UK
- resell equipment made by someone else under your own brand (if the maker's brand appears on the equipment they are the producer)
- import EEE on a commercial basis into the UK
- are established outside of the UK and supply EEE directly to the UK market by distance selling (for example online, mail order, by phone)

To decide if your product is EEE see guidance on how to [correctly identify EEE](#).

You're not a producer if you buy an item of EEE abroad and bring it into the UK for your own use.

How do I comply with environmental regulations as a producer?

What you must do as an EEE producer:

- You must register as a producer annually and this depends on how much EEE you put on the UK market in the previous calendar year (also known as a compliance year).
- If you place **less than 5 tonnes** of EEE on the UK market in a compliance year, you can register direct with your environmental regulator as a small producer.
- If you place **5 tonnes or more** of EEE on the market, you must join a producer compliance scheme (PCS).
- The **PCS then takes on your obligations to finance** the collection, treatment, recovery and environmentally sound disposal of household WEEE collected in the UK.

You must also take on [distributor responsibilities](#) if you sell EEE direct to householders in the UK.

You can find out more about [retailer and distributor responsibilities in our retailer briefing paper on our website here.](#)

What you must do as an EEE producer:

- You must mark all EEE products with the **crossed out wheeled bin symbol** and a date mark
- Provide information on reuse and environmentally sound treatment of the products and components (includes materials, dangerous substances and preparations) within one year of putting them on the market
- Make sure that distributors you supply have your producer registration number
- Keep **records for at least 4 years** of the amount of EEE put on the market by category
- Producers should aim to improve product design to facilitate recycling and reuse of components and materials.
- See the [restriction of the use of certain hazardous substances \(RoHS\)](#) in electrical and electronic equipment: compliance and guidance.

Retailers vs Producers' responsibilities



Retailers responsibilities

- Provide take-back service
- Record each electrical item taken-back
- Provide information about the service you offer

Producers responsibilities

- Report on their sales directly or via a Producer Compliance Scheme
- Finance their share of the costs of collecting and recycling waste electricals from public sites
- Provide a drop off option for waste electricals collected by retailers
- Finance the cost of recycling

However, if you do both, then both producer and retailer responsibilities will apply

Less than 5 tonnes - register as a small producer

If you place **less than 5 tonnes** of EEE on the UK market in a compliance year, you can register direct with your environmental regulator as a small producer.

Register on the [National Packaging Waste Database \(NPWD\)](#)*

You will be asked for your business location and the system will identify the relevant regulator depending on your location:

- Environment Agency (England)
- Natural Resources Wales (Wales)
- Northern Ireland Environment Agency (Northern Ireland)
- Scottish Environmental Protection Agency (Scotland)

You must register by 31 January every year or within 28 days of placing EEE on the market for the first time.

**Small producers as of 2nd January 2025 will need to register via [WEEE Online](#) rather than through the National Packaging Waste Database*.*

Less than 5 tonnes - register as a small producer

When you register you need to state how much EEE you placed on the market in the previous calendar year by category.

See guidance on how to:

- [Report the amount of EEE you place on the market](#)
- [Correctly identify EEE](#)
- [How to correctly identify B2C and B2B EEE and WEEE \(household or non-household waste electrical waste\)](#)

However you can also:

- Use a third party to register you and submit your data.
- Use a **PCS** as a third party and not register as a member but it **will not take on your legal responsibilities.**
- Or you can choose to register as a full compliance scheme member.

Registered as a small producer - if you place 5 tonnes or more on the market:

However, if you find you **place 5 tonnes or more EEE on the market during a compliance year** and **you've registered as a small producer** you must notify the relevant environmental regulator and join a compliance scheme within 28 days.

You can [apply for approval to become a PCS](#) where you will be the only member.

You may also have a producer obligation to finance the cost of collection, treatment, recovery and environmentally sound disposal of non-household EEE arising from end-users.

5 tonnes or more - join a producer compliance scheme (PCS)

If you placed **5 tonnes or more of EEE on the UK market you must join a PCS.**

- You must do this by **15 November each year.**
- If you enter the UK EEE market after 15 November you must join a PCS within 28 days of placing the EEE on the UK market.
- You must also be a member of a PCS in the compliance year immediately following the last compliance period which you put **5 tonnes or more** of EEE on the market in the UK.
- See a [list of approved PCSs](#).
- Check their service meets your needs. If you put both household and non-household EEE on the market you can join two schemes, one for each. Or you can join one scheme for both.
- The PCS will charge fees for its services. This includes fees for collection and treatment costs of WEEE on your behalf.

5 tonnes or more - join a producer compliance scheme(PCS)

You must give your PCS information about your business. You must provide the amount of EEE you placed on the UK market by category as requested by the scheme.

See guidance on how to:

- [Report the amount of EEE you place on the market](#)
- [Correctly identify EEE](#)
- [How to correctly identify B2C and B2B EEE and WEEE \(household or non-household waste electrical waste\)](#)

What the PCS does on your behalf

The PCS takes on your obligations to finance the collection, treatment, recovery and environmentally sound disposal of household and non-household WEEE collected in the UK.

Household WEEE

- A PCS is given a collection target for its whole membership for each compliance year.
- Each producer is responsible for financing a portion of that target based on its market share in each of the 14 product categories of EEE it sells.
- The PCS reports the information needed by the relevant environmental regulator every 3 months.

Non-household WEEE

The PCS takes on your financial obligations for non-household WEEE arising in each compliance period from:

- EEE a producer placed on the market on or after 13 August 2005
- EEE that was placed on the market before 13 August 2005, regardless of the producer, which the user is replacing with equivalent new EEE

This applies unless alternative arrangements have been made between the producer and the business end-user.

See the guidance: [How to correctly identify B2C and B2B EEE and WEEE \(household or non-household waste electrical waste\)](#)

The PCS reports the information needed by the relevant environmental regulator once per year.

Non UK based producers

- Before putting EEE on the UK market, producers based in other countries must either appoint an authorised representative based in the UK or join a UK approved PCS.
- This must be done in time for the relevant compliance period.
- UK based producers that put EEE onto the market of other member states can appoint an authorised representative based in that state rather than registering as a producer there.

Enforcement and compliance

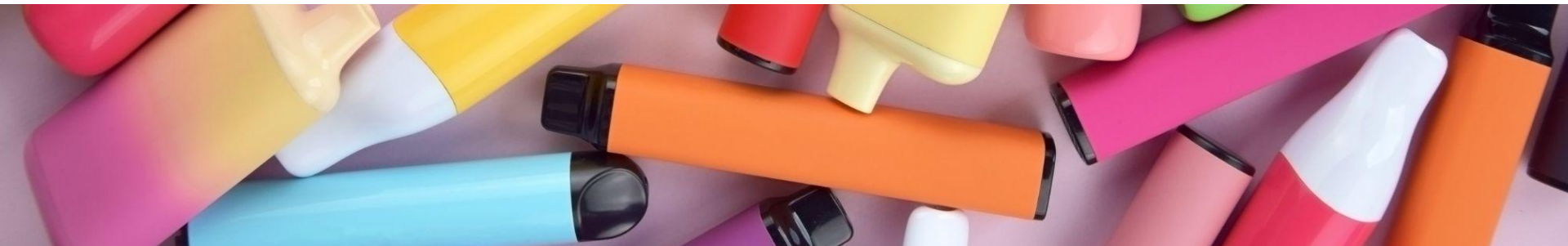
If you do not register as a small producer or join a PCS you are committing an offence and may face enforcement action.

Find out more about legislation and regulations here:

- [WEEE Regulations 2013](#)
- [Producer Responsibility Regulations](#)



Government update December 2024: Response to the producer responsibility consultation



Government update - producer responsibility consultation

Consultation on reforming the producer responsibility system for waste electricals held between December 2023 and March 2024.

Update to the regulations to be introduced in the UK from **2025** onwards.

1. A new category for vapes

Separate data reporting and collection targets to be established for vapes.

2. New obligations for online marketplaces

Online marketplaces will be required to take on producer obligations.

A new category for vapes

- Vapes are currently reported under category 7 of the regulations which covers toys, leisure, and sports equipment.
- A new category for vapes and vape-related products means that separate collection targets for these products will be set under the WEEE reporting obligations.
- **Vape producers will need to report the weight of products placed on the UK market under this new category.**

New obligations for online marketplaces

- **Online marketplaces will take on obligations that currently apply to companies defined as producers within the existing regulations.**
- The new requirements will apply to online marketplaces only in respect of equipment placed on the UK market by their overseas based sellers.
- This means that they will contribute to the cost of collection, treatment, re-use, and recycling of waste electricals.

FAQ

Frequently Asked Questions:

Q: How are Material Focus funded?

A: Our funding comes from UK WEEE Regulations Compliance Fees. These are paid by electrical producers if they don't meet annual recycling targets set by the government. The fees are set higher than the average costs of collections to encourage collections to take place. We manage spending of the fees to support reuse and recycling of electricals in the UK.

Q: Are Material Focus a regulator?

A: We are not a government body nor a regulator, and work separately to the regulators across the UK. But we will regularly share information with them to help improve the e-waste system - to make it as easy as possible for the public to reuse and recycle their electricals.

Frequently Asked Questions:

Q: Is your work across the UK?

A: We work across the UK. We are a not-for-profit organisation with expertise in the electrical waste sector. Our role is to help improve the UK e-waste system through improving the reuse and recycling rates of waste electricals - this includes working with organisations across the UK sector to increase awareness of obligations and how to meet them.

Q: Who are the regulators in the UK?

A: Your relevant regulator is dependent on your company registered address location:

- **Environment Agency (England)**
- **Natural Resources Wales (Wales)**
- **Northern Ireland Environment Agency (Northern Ireland)**
- **Scottish Environmental Protection Agency (Scotland)**

Contact

The 'Recycle Your Electricals' campaign is led by Material Focus.

Material Focus is a not-for-profit organisation - our vision is of a world where materials are never wasted.

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