

# NEW RULES ON THE DISPOSAL OF ELECTRICAL EQUIPMENT: WHAT EVERY BUSINESS SHOULD KNOW

## A GUIDE TO THE WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT REGULATIONS 2006 ('THE WEEE REGULATIONS')

### Overview

The aim of the WEEE Regulations is to encourage the re-use and recycling of electrical waste by making the producers of electrical equipment financially responsible for the final disposal of electrical equipment which they place on the market. The Regulations also address the polluting effects of electronic goods by requiring the separate collection and environmentally sound disposal of electrical waste. The main obligations under the Regulations came into force on 1 July 2007.

The new law will affect anyone who manufactures, sells, distributes or uses electrical equipment. Although the producers of electrical equipment will, for the most part, bear the costs of recovery and recycling old electronic goods, the WEEE Regulations have significant implications for all businesses.

### What is electrical waste?

This is any equipment that depends on electrical currents or electromagnetic fields in order to work properly with a voltage not exceeding 1,000 volts for alternating current and 1,500 volts for direct current falling under the following categories:

- Household appliances
- IT and telecommunications equipment
- Consumer equipment
- Lighting equipment
- Electrical and electronic goods
- Medical devices (except infected and implanted products)
- Monitoring and control equipment
- Automatic dispensers

### The obligations on producers

You will be a producer for the purposes of the WEEE Regulations if you:

- Manufacture electrical and electronic equipment under your own brand in the UK
- Sell under your own brand in the UK equipment manufactured by another person
- Import electrical equipment for business or commerce

### The obligations on retailers

Retailers and distributors have a legal obligation to provide for customers to dispose of waste electrical equipment free of charge. Retailers can do this by accepting old electrical goods from the customer in-store when the retailer sells an equivalent new item ('in-store take back'), or by directing customers to a designated collection facility.

### The obligations on business users

Different rules apply for business and domestic users of electronic equipment. If you are a business user and intend to dispose of electrical waste the following rules apply:

- If you are disposing of electrical equipment (such as PCs, telephones, photocopiers etc) which you purchased after 13 August 2005 you should contact the producer to find out what arrangements are in place for the collection and treatment of the waste.
- If you are disposing of electrical equipment purchased before 13 August 2005 and you are replacing it like for like (e.g. a computer upgrade) the supplier of the new equipment also has responsibility for the proper disposal of the old equipment regardless of whether they originally supplied it.
- If you are disposing of electrical equipment purchased before 13 August 2005 and are not replacing it like for like you will have the responsibility for its proper disposal under the WEEE Regulations.

Business users wanting to dispose of domestic type electrical equipment such as kettles and coffee makers can make use of in-store take back schemes where the equipment is being replaced.

### The obligations on private consumers

The WEEE Regulations do not impose any legal requirements on private consumers of electrical goods although all consumers are encouraged to take advantage of the facilities that will be provided for the segregation and proper disposal of electrical waste.

### Enforcement

Most of the requirements in the WEEE Regulations are underpinned by criminal sanctions which mean that businesses can be convicted and fined for failing to observe the rules.

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