

Background

The Waste Electrical and Electronic Equipment Regulations 2013 (as amended) – known as the UK WEEE Regulations - transposed the requirements of the EU WEEE Directive Recast 2012 to move to “Open Scope” from the start of 2019.

“Open Scope” means all Electrical and Electronic Equipment (EEE) is in scope of the regulations, unless specifically excluded or exempted. The European legislation also requires reporting in a 6 new categories.

The Department for Environment, Food & Rural Affairs (DEFRA) consulted at the end of 2017 on 3 implementation options:

1. Do nothing: make no changes to the UK WEEE regulations and move to reporting WEEE in the new 6 categories from 1st Jan 2019
2. Keep 14 categories: Amend the UK WEEE regulations to maintain current 14 category system
3. Move to 6 categories with 3 additional sub-categories

In May 2018, DEFRA published the results of this consultation and will apply Option 2 and keep the current 14 category system. The UK WEEE regulations will need to be updated soon to reflect the maintenance of the 14 category system (as the WEEE Regulations currently implement a 6 category system from 1 January 2019), and the Government will work with industry to implement a protocol which will allow the 14 categories to be converted to 6 categories for the purpose of EU reporting.

What this means for Producers: Reporting will stay the same as it is now, and products newly coming into scope will need to be placed into our current 14 UK categories. If you are unsure of the category which your product should be reported under, please contact Valpak at info@valpak.co.uk or by telephone on 03450 682 572.

Changes in scoping

Household Luminaires

One of the bigger changes affecting producers from the start of 2019 is the introduction of household luminaires in to scope of the regulations. A few examples of what would be considered a household luminaire (scoped into category 5a) are detailed below:

- Outside / Garden lights
- Ceiling roses and flexes (cords)
- Decorative lighting (e.g. Christmas lighting)
- Table, wall, and ceiling luminaires (including lamp shades if sold with the luminaire)
- Some mirrors with lights* (depending on whether the light is needed to function properly, for example a theatre mirror or infinity mirror).
- Illuminated emergency exit sign
- Luminaires with movement detectors
- Trailer light boards
- Dimmers, light switches and other lighting control systems used in households (these should be declared in Category 2a)

*Example of mirror out of scope would be a mirror with down lights.

Fixed Installations

Another major change will be that fixed installations are coming into scope (e.g. air conditioning/ filtration systems).

It is important to note though that while fixed installations are now coming into scope, large-scale fixed installations will remain out of scope of the UK WEEE Regulations. Large scale fixed installations (such as passenger lifts, and production/processing lines), have specific criteria that define them as large scale (as defined in the European Commission [RoHS FAQ guidance](#) page 12). These are:

- If too large to be moved in an ISO 20 foot container because the total sum of its parts as transported is larger than 5,71m x 2,35m x 2,39m
- If too heavy to be moved by 44 tonne road truck
- If heavy-duty cranes are needed for installation or de-installation
- An installation that does not fit within a normal industrial environment, without the environment needing structural modification. Examples for modifications are modified access areas, strengthened foundations etc.
- If an installation has a rated power greater than 375 kW

NB: Please be aware that only page 12 of the European Commission RoHS FAQ guidance regarding criteria of large-scale is applicable; the rest of the document does not apply to EEE.

WEEE Open Scope

Clothing containing EEE

Clothing which contains electrical components could be in scope of the regulations where the EEE performs a fundamental feature of the item. For example:

- Gym top with a heart rate monitor
- Heated walking jacket
- Hat with integral speakers

However, the following would be potential examples of clothing which would still be out of scope of the regulations:

- Novelty clothing with lights/ sounds (e.g. light up trainers, Christmas jumpers etc.)
- Clothing where the EEE can be removed (e.g. ear phones which can be removed from a cap. Although the earphones will need to be declared separately).

Other changes

There are also a few other items specifically mentioned as coming into scope of the regulations:

- Fuse boxes
- Consumer units
- Circuit breakers
- Energy Management Systems
- Plugs
- Taps with lights (where the light is an integral feature e.g. for safety) and taps with motion sensors.
- Gas boilers
- Stairlifts, and other lifts if not large-scale
- Smart mirrors

Electrical Accessories

One of the big changes which is not a direct change in product scoping would be the updated rules surrounding electrical accessories. Non-integral accessories supplied with electrical equipment would now be excluded from the weight of EEE.

Examples of what should be excluded:

- Cases supplied with power tools
- Plastic jugs supplied with irons
- Scissors and comb supplied with a shaving set

However, non-electrical items should be included within the weight of the product if it is needed to operate as it is advertised.

WEEE Open Scope

Examples that should still be included:

- Fridge shelves
- Vacuum cleaner hose
- Microwave glass plate
- TV stand

An accessory which can function with more than one product is an EEE product (For example: headphones, computer keyboards etc.).

Non-EEE

While many products are coming into scope of the regulations, there are still many items that remain exempt or excluded. Some of examples of non-EEE:

- Furniture with ancillary EEE function e.g. furniture with USB charge points.
 - Furniture where the EEE function is integral will still be in scope e.g. hospital beds, reclining chairs etc.
- Music greeting cards
- Reels of cable
- Taps with decorative lights
- Water jug filter display
- Components and spare parts

Support and Assistance

While we have tried to include as much detail regarding the upcoming changes as possible, there will undoubtedly be many products that have not been directly addressed and still remain unclear how they will be affected by the move to Open Scope.

A link to the full guidance published by the Environment Agency can be found [here](#).

If you have any questions about how these changes might affect you, please do not hesitate to contact a Technical Advisor on 03450 682 572 or email info@valpak.co.uk