

ORGALIME GUIDE

A practical guide to understanding
the scope of

Directive 2002/96/EC on Waste Electrical and
Electronic Equipment (WEEE)

and

Directive 2002/95/EC on the Restriction
of the Use of Certain
Hazardous Substances in EEE (RoHS)

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FOREWORD

Directive 2002/95/EC on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) and Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE) entered into force with their publication in the Official Journal of the European Union on 13 February 2003.

This Guide is intended to help authorities and producers to interpret the scope of these two directives. It provides interpretations, criteria and decision trees that help the reader to determine whether products falling in “grey areas” do actually fall within the scope of these directives or not.

This ORGALIME Guide is focused on the “scope” and is to be considered as complementary to other ORGALIME Guides on the WEEE and RoHS directives².

This ORGALIME Guide reflects the best knowledge of industry experts from all over Europe and the state of the art at the moment of its publication. The principles contained in this Guide are however not legally binding. A binding interpretation of Community legislation is of the exclusive competence of the European Court of Justice. ORGALIME also recommends that producers, when applying this Guide and its principles, always refer to the national legislation of the member state they are dealing with, as many provisions on the scope had been transposed in different ways by individual member states.

Subject to new information, this document may be modified to accommodate new developments. Such information will be updated on Orgalime’s website www.orgalime.org.

² ORGALIME GUIDE “A practical Guide to understanding the EC Directives on Waste Electrical and Electronic Equipment (WEEE) and on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) of 27 January 2003”, published in April 2003; ORGALIME GUIDE “ A practical Guide to understanding the specific obligations of Directive 2002/95/EC on the Restriction of the Use of Certain Hazardous Substances in EEE (in preparation); ORGALIME GUIDE on Contractual Aspects of the WEEE Directive in the Business-to-Business Field (in preparation).