



ORGALIME GUIDE

A practical guide to understanding
the scope and obligations of

Directive 2012/19/EU on
Waste Electrical and Electronic Equipment
(WEEE)

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FOREWORD – INTRODUCTION TO THIS ORGALIME GUIDE

The proper management of electrical and electronic equipment (EEE) throughout its life cycle, including its end of life stage, is essential from a circular economy, wider resource efficiency and sustainability point of view.

The Waste Electrical and Electronic Equipment (WEEE) Directive has been one of the EU's first waste stream specific Directives harmonising among other the separate collection, proper treatment, recovery and recycling of WEEE throughout the EU. As such, the Directive is delivering important results: according to the European Commission¹, in 2005, about 300.000 tons of WEEE were collected in Europe; today, this figure stands at more than 3.5 million tons. And successful implementation of the final target of the Directive would mean that in 2020, we will separately collect about 10 million tons of WEEE. These prominent figures are the results of significant efforts and investments made by the producers to properly implement the WEEE legislation.

From 15 August 2018, the current scope of the WEEE Directive is extended from its present scope of ten product categories to all EEE unless explicitly excluded. Consequently, the definition and number of the categories will change. Some EEE that has been previously out of scope is now in the scope. Therefore, ORGALIME has developed this Guide to help producers understand the new scope of this Directive and subsequent obligations. This Guide provides descriptions of the legal text of the recast WEEE Directive and related not legally binding Commission Frequently Asked Questions document, interpretations, criteria and decision trees to help producers to determine whether or not their products fall within the scope of this Directive. This Guide complements earlier Orgalime Guides and the 2006 [ORGALIME Guide](#) to help producers understanding the scope of the WEEE1 Directive 2002/96/EC and Directive 2002/95/EC on the Restriction of the Use of Certain Hazardous Substances in EEE (RoHS 1) in particular.

The first WEEE Directive - "WEEE 1" - [Directive 2002/96/EC](#) entered into force in February 2003. The "recast WEEE Directive" or "WEEE 2" - [Directive 2012/19/EU](#) entered into force on 13 August 2012 and was transposed by all Member States in 2016. Under the WEEE2 Directive, Member States are now obliged to increase the level of the WEEE collected: from 45% of EEE placed on the market in the three preceding years in 2016, to 65% of EEE placed on the market or 85% of WEEE generated in 2019. In April 2014, the European Commission published a [Frequently Asked Questions document on the WEEE2 Directive 2012/19/EU](#).

The WEEE 2 Directive is based on Article 192 of the Treaty on the Functioning of the European Union (Lisbon Treaty), which allows Members States to go beyond its requirements in their national transpositions under certain conditions.

Disclaimer: 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 recommends to producers, when using this Guide, to always first refer to the national legislation, and guidance if any, of the Member State they are dealing with, as many provisions on the scope are 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](#).

ORGALIME representing the European Technology Industries speaks for 42 trade federations of the mechanical, electrical, electronic, metalworking & metal articles industries of 23 European countries. The industry employs nearly 11 million people in the EU and in 2016 accounted for some €2,000 billion of output. The industry represents over a quarter of the output of manufactured products and over a third of the manufactured exports of the European Union.

¹ [Speech Mr. Karmenu Vella, EU Environment Commissioner, Malta, May 2017](#)