

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Statutory Order on management of waste electrical and electronic equipment (the WEEE Order) [1\)](#)

Statutory Order no. 664 of 27 June 2005

Statutory Order no. 664 of 27 June 2005

Pursuant to sections 9h(1-5), 9i(2), 9j(3), 9k, 9l(2)-(3), 9m, 9n, 9o(1)-(6), 9p(4), 9q(1), 9r, 44, 45(2), (5) and (6), 51, 92 and 110(3)-(4) of the Danish Environmental Protection Act, cf. Consolidated Act no. 753 of 25 August 2001, as amended by Act no. 475 of 7 June 2001, Act no. 260 of 8 May 2002, Act no. 385 of 25 May 2005, Act no. 569 of 24 June 2005, and section 2(5) of Act no. 385 of 25 May 2005 amending the Danish Environmental Protection Act, and pursuant to section 1(2) in the Public Administration Act, cf. Act no. 571 of 19 December 1985, as amended by Act no. 552 of 24 June 2005, and section 1(3) of Act 572 of 19 December 1985 on Public Access to Documents in Administrative Files, as amended by act no. 552 of 24 June 2005, and after negotiations with the Minister for Justice, the following provisions shall be laid down:

Scope and definitions

1.-(1) This Order shall apply to the management of electrical and electronic equipment from:

- 1) private households,
- 2) enterprises, and
- 3) public and private institutions.

(2) This Order shall also apply to the registration of producers and importers of electrical and electronic equipment (EEE) and information and reporting requirements for EEE, cf. section 3, no. 2 a), marketed to households.

(3) Unless otherwise stated in this Order, other legislation on waste management shall continue to apply.

(4) In respect of the export and import of WEEE, applicable legislation on the import and export of waste shall apply at any time.

2.-(1) This Order shall not apply to:

- 1) Motor vehicles subject to the provisions of the Road Traffic Act (however, cf. subsection (2)).
- 2) EEE connected with the protection of essential security interests, arms, munitions and war material, except where such equipment has not been produced for specifically military purposes.
- 3) Batteries and accumulators, except where these are incorporated as components of waste from electrical and electronic equipment or products, cf. section 21.
- 4) Electrical and electronic equipment containing sealed radioactive sources and smoke detectors containing radioactive substances, however, cf. subsection (3).

(2) Waste from electrical and electronic equipment (WEEE) removed from motor vehicles, cf. subsection (1), no. 1, shall be treated in accordance with the provisions in section 21.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

(3) WEEE covered by subsection (1), no. 4 shall be subject to this Order following the removal of the sealed radioactive sources and radioactive substances in accordance with the current regulations governing their removal.

3. For the purposes of this Statutory Order:

1) "electrical and electronic equipment" shall mean:

a) equipment which is dependent on electric currents or electromagnetic fields in order to work properly.

b) equipment for the generation, transfer and measurement of electric currents and electromagnetic fields.

2) "electrical and electronic equipment" shall comprise:

a) electrical and electronic equipment (EEE); electrical and electronic equipment falling under the categories set out in Annex 1, designed for use with a voltage rating not exceeding 1000 volts for alternating current or 1500 volts for direct current.

b) other electrical and electronic equipment: equipment falling outside the categories set out in Annex 1, or designed for use with a voltage rating exceeding 1000 volts for alternating current or 1500 volts for direct current.

3) "waste from electrical and electronic equipment (WEEE)" shall mean waste from electrical and electronic equipment (EEE) covered by no. 2 a), including all components, subassemblies and consumables which are part of the product at the time of discarding.

4) "WEEE from private households" shall mean WEEE which comes from private households and waste from private and public institutions and enterprises where the type and quantity of waste is similar to waste from private households.

5) "WEEE from trade and industry" shall mean waste from other EEE than WEEE from private households.

6) the "WEEE system" shall refer to the organisation named in section 9p(1) of the Act.

7) "sellers" and "distributors" shall mean any person who provides electrical and electronic equipment on a commercial basis to the party who is going to use it.

8) "pick-up scheme" shall mean a scheme whereby a municipality or an enterprise gathers WEEE from private households, enterprises, and public and private institutions.

9) "bring scheme" shall mean a scheme whereby a municipality or an enterprise receives WEEE from private households, enterprises, and public and private institutions at designated sites.

10) "disposal" shall mean one of the processes specified in Annex 5.

11) "recovery" shall mean one of the processes specified in Annex 6.

12) "reuse" shall mean any process whereby WEEE or components thereof or waste from other electrical and electronic equipment or components thereof continues to be used for the same purpose for which it was produced, and is returned to collection sites, distributors, recycling enterprises or manufacturers.

13) "recycling" shall mean the reprocessing in a production process of the waste materials for the original purpose or for other purposes, but excluding energy recovery which shall mean the use of combustible waste as a means of generating energy through direct incineration, with or without other waste but with recovery of the heat.

14) "prevention" shall mean measures designed to reduce the volume and environmental impacts of WEEE and waste from other electrical and electronic equipment and component materials and substances.

15) "dangerous substance" shall mean any substance that is considered dangerous under Council Directive 67/548/EEC or European Parliament and Council Directive 1999/45/EC.

16) "special treatment" shall mean any activity after the WEEE has been handed over to a facility for depollution, disassembly, shredding, recovery or preparation for disposal and any other operation carried out for the recovery and/or the disposal of the WEEE.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Waste management hierarchy

4. Management of WEEE shall be based on the following priority order:

- 1) Prevention.
- 2) Reuse.
- 3) Special treatment, including recycling and incineration with energy recovery.

Distance and internet selling

5.-(1) Producers and importers in other EU Member States which supply EEE directly to private households in Denmark via distance or internet selling shall provide for the take-back and special treatment of the equipment.

(2) Producers and importers covered by subsection (1) shall register with the WEEE system, cf. section 10 below, and report information to the WEEE system in accordance with section 19.

Collection schemes and related matters

6.-(1) Local authorities shall ensure the establishment of collection schemes in the form of bring schemes for WEEE from private households, however, cf. subsection (2).

(2) As a substitute for or supplement to bring schemes under subsection (1), local authorities may establish collection schemes in the form of pick-up schemes for WEEE from private households.

(3) Local authorities shall establish collection sites for the collection of waste as specified in subsections (1) and (2).

(4) Local authorities shall ensure that, at all collection sites under subsection (3), WEEE from private households is separated into the following fractions:

- 1) Large household appliances and automatic dispensers.
- 2) Small household appliances, electrical and electronic tools, excluding large-scale stationary industrial tools, toys and sport and leisure equipment, medical equipment (excluding all implanted and infected products) and monitoring and regulation instruments.
- 3) IT and telecommunications equipment.
- 4) Consumer equipment.
- 5) Lighting equipment.

(5) Waste may be separated into additional fractions to those specified in subsection (4) by prior agreement between local authorities and the WEEE system.

(6) Local authorities shall set deadlines for collection from collection sites where these are not otherwise stipulated in the agreements mentioned in section 16(6).

7. Local authorities shall, no later than 31 March 2006, pass a regulation setting out detailed provisions for the disposal of waste from other electrical and electronic equipment, cf. section 3, no. 2 b).

8.-(1) Everyone shall be required to use collection and disposal schemes established in respect of sections 6 and 7 hereof or section 9j of the Act, however, cf. section 2 above.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

(2) Anyone may deliver WEEE and waste from other electrical and electronic equipment to sellers placing such equipment on the market and offering to receive waste.

(3) Distributors and other parties that receive waste under subsection (2) shall use the collection schemes established under section 6 above or section 9 j of the Act. However, large volumes of WEEE from private households received under subsection (2) shall be delivered to an enterprise by agreement with the WEEE system.

(4) Upon delivery to a municipal waste scheme or delivery to an undertaking under subsection (3), WEEE collected from households covered by subsection (2) shall be viewed under this Order as WEEE from private households.

Producer register for electrical and electronic equipment (EEE)

9. The WEEE system shall establish a producer register.

10.-(1) Any party that commercially produces or imports EEE shall register with the WEEE system in the producer register mentioned in section 9.

(2) Applications for enrolment on the producer register shall be submitted no later than 1 January 2006. Enterprises which begin the process of placing electrical and electronic equipment on the market after 1 January 2006 shall make an application for enrolment on the producer register no later than 14 days prior to the commencement of such activity.

(3) The application for enrolment shall include:

- 1) The name, address and the central business register (CVR) number of the enterprise.
- 2) The designation of the types of equipment falling under the categories set out in Annex 1, being placed on the market or about to be placed on the market
- 3) Information on the method in which producer responsibility requirements shall be fulfilled, including information on whether the enterprise has established an individual collection scheme or joined a collective scheme.
- 4) Information on the names or trademarks the enterprise uses in its labelling, cf. section 20 below.

(4) The enrolment application shall be signed by the management in charge of the enterprise.

(5) Where a producer or importer is registered as having joined a collective scheme, the producer or importer may assign their obligations under subsections (2)–(4) to this collective scheme.

(6) The WEEE system shall notify the enterprise, confirming its enrolment, within 14 days of receiving an application containing all the information specified in subsection (3). Enrolments lodged prior to 1 January 2006 shall be confirmed no later than 28 February 2006.

(7) Registered enterprises shall notify the WEEE system of any changes to the conditions referred to in subsection (3) within 14 days.

11. Sellers and distributors may not receive or distribute EEE from producers and importers who are not registered in accordance with section 10.

Financial guarantees for EEE marketed for use in private households

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

- 12.-(1)** For EEE placed on the market for use in private households after 31 March 2006, before commencing marketing operations and at least once a year, producers and importers shall provide an appropriate financial guarantee and provide evidence of this to the WEEE system.
- (2)** In connection with the provision of a financial guarantee under subsection (1), producers and importers shall report the volume of EEE for use in private households placed on the market in the previous calendar year, and the volume of EEE for use in private households that is expected to be placed on the market in the following calendar year.
- (3)** Significant changes with respect to the volume of EEE expected to be placed on the market reported under subsection (2) shall be reported to the WEEE system within 14 days.
- (4)** If the volume of EEE placed on the market for use in private households on which the financial guarantee is based is found to have been set too low in relation to the actual marketed volume of EEE, a further guarantee shall be provided based on the actual marketed volume of EEE.
- (5)** The size of the guarantee shall be set by the WEEE system, based on the known or expected costs of waste treatment of the particular EEE for use in private households, including the volume, nature and lifetime of the marketed EEE.
- (6)** The WEEE system shall decide on exemptions from providing a financial guarantee for future waste management expenses, where:
- 1) a collective scheme is subscribed to by at least 10 producers and importers, or 30 per cent of the registered producers and importers within one of the categories set out in Annex 1, and the market share of these producers and importers accounts for at least 30 per cent of the total marketed equipment from registered producers and importers within that category, and
 - 2) the collective scheme fulfils the specific guidelines laid down by the Danish EPA.
- (7)** The figures reported under subsection (2) shall be attested by the auditor of the producer or importer.
- 13.-(1)** The financial guarantee under section 12 shall be released to the producer or importer once they have shown that the WEEE from private households assigned under section 16 has been taken back and has received special treatment.
- (2)** The financial guarantee provided under section 12 shall be released to pay for transport, special treatment and administration expenses for the WEEE system if the producer or importer does not collect the WEEE assigned under section 16 within the allocated time.
- (3)** Part of the financial guarantee provided under section 12 shall be released if the actual marketed volume of EEE from private households is less than the expected marketed volume of EEE from private households upon which the guarantee was based.

WEEE from trade and industry placed on the market prior to 1 April 2006

- 14.-(1)** The final holder of EEE for use in trade and industry placed on the market before 1 April 2006 shall provide for its special treatment (cf. section 21) at an approved facility.
- (2)** However, notwithstanding subsection (1), when buying new EEE, holders of EEE for use in trade and industry may deliver WEEE placed on the market before 1 April 2006 to the producer

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

or importer, at no charge, if the new equipment replaces the equipment placed on the market before 1 April 2006.

EEE for trade and industry placed on the market after 31 March 2006

15.-(1) Producers and importers which market EEE to trade and industry after 31 March 2006 may make agreement with the buyer of the equipment that the buyer assumes the responsibilities of the producer or importer in relation to section 9j of the Act, with regard to equipment purchased by the buyer.

(2) Producers and importers who transfer their obligations as described in subsection (1) shall submit information to the WEEE system regarding such agreements and the volume of equipment covered by them, for registration in the WEEE system every year by 31 March, with the first submission due by 31 March 2007.

Allocation scheme for WEEE from private households

16.-(1) Producers and importers shall receive a share of WEEE from private households in proportion to their respective share of the market within each of the categories set out in Annex 1, and provide for the special treatment (cf. section 21) of this waste. The WEEE system shall allocate the WEEE from private households that the producer or importer is required to collect from the municipal schemes and treat.

(2) Attempts shall be made to allocate the WEEE from private households to be collected for special treatment under subsection (1) in a geographically reasonable manner. If the WEEE system so decides, producers and importers shall collect allocated WEEE from anywhere in Denmark.

(3) Producers and importers shall collect allocated WEEE from private households under subsection (1) from the collection site within the time stipulated by the WEEE system.

(4) When WEEE from private households is collected, a container shall be left at the collection site equivalent to the container collected.

(5) When collecting allocated waste, producers and importers shall observe the collection conditions laid down by the WEEE system, including requirements relating to collection materials for WEEE from private households and deadlines for collecting waste from collection sites.

(6) Prior to the allocation of waste to producers and importers by the WEEE system, the WEEE system and the municipal council in question shall enter into an agreement concerning the collection conditions, including requirements relating to collection materials for WEEE from private households and deadlines for collecting waste from collection sites.

(7) In the event of failure to take back the allocated waste referred to in subsection (1) as stipulated in subsection (3), the Danish Environmental Protection Agency may designate a third party to perform this operation at the producer's or importer's expense. The WEEE system may charge a fee equivalent to the cost of the take-back and special treatment of the WEEE from private households in respect of which producers and importers should have provided for the take-back or special treatment as well as the associated administrative costs to the WEEE system.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

(8) The Danish EPA, after negotiations with Local Government Denmark, Affald Danmark, RenoSam and the WEEE system, may lay down specific requirements regarding the content of the agreements mentioned in subsection (6).

Information and reporting requirements for EEE

17.-(1) Producers and importers shall inform users of EEE placed on the market for use in private households of the following (in sales and information material, including instruction manuals):

- 1) that WEEE may not be disposed of together with non-separated waste from private households
- 2) that WEEE shall be collected separately
- 3) the waste scheme relating to the equipment in question
- 4) the user's role in respect of reuse, recycling and other forms of recovery
- 5) the potential effects on the environment and human health as a result of the presence of dangerous substances in EEE, and
- 6) the significance of labelling in accordance with section 20.

(2) The duty to supply information described in subsection (1) may be fulfilled by reproducing one of the standard texts prepared by the Danish EPA.

18.-(1) Producers and importers shall make the necessary information concerning reuse and treatment available for undertakings managing WEEE within one year of the date equipment is first placed on the market, though not before 1 January 2007. This duty may be fulfilled by making this information available on the website of the producer or importer.

(2) Producers and importers shall submit information (cf. subsection (1)) about their website etc. at which the necessary information is available to the WEEE system within one year of the date equipment is first placed on the market, though not before 1 January 2007.

19.-(1) Each year, no later than 31 March (starting with 31 March 2007), producers and importers shall report information relating to the previous calendar year to the WEEE system regarding the quantities of EEE that have been placed on the market, divided into the categories described in Annex 1, and information on the quantity of WEEE that has been taken back and subjected to special treatment (cf. section 21). These reports shall be submitted in the manner laid down by the Danish EPA.

(2) Where a producer or importer is registered as having joined a collective scheme, the producer or importer may assign their obligation under subsection (1) to this collective scheme.

20.-(1) Producers and importers shall label EEE produced in Denmark or imported after 13 August 2005. This labelling shall be in compliance with Annex 4.

(2) Equipment shall be exempted from the labelling requirement in subsection (1) if the size or function of the equipment prohibits such labelling. In these cases, the pictogram shall be printed on the instructions, warranty certificate or packaging.

(3) Notwithstanding subsection (1), 2nd clause and subsection (2), producers and importers may label equipment following the DS/EN 50419 standard.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

(4) Producers and importers shall label EEE produced in Denmark or imported after 13 August 2005 with the name or logo of the enterprise, such that the producer or importer of the appliance or equipment may be clearly identified.

Special treatment and related matters

21.-(1) Any party which receives WEEE for subsequent treatment shall be required to ensure that all liquids and the components referred to in Annex 2 be removed. The treatment of the substances, materials and components removed shall comply with the regulations laid down in Annex 3.

(2) The removal of the substances, materials and components referred to in Annex 2 shall take place indoors and on an impermeable surface.

(3) Any party which receives for subsequent treatment the substances, materials and components referred to in Annex 2 shall be required to ensure that such substances, materials and components be managed in accordance with the guidelines laid down in Annex 3.

(4) Any party which receives WEEE for subsequent treatment shall report to the WEEE system on the type of waste received, the entity they received it from, and the type of treatment carried out.

(5) WEEE shall be stored under a roof and on an impermeable surface.

(6) Any party which removes substances, materials and components (cf. subsection (1)) shall be equipped with balances to measure the weight of the waste fractions removed.

22.-(1) Any party which receives waste from other electrical and electronic equipment (cf. section 3, no. 2b)) for subsequent treatment shall be required to manage such waste in an environmentally responsible way, including as a minimum, ensuring the removal of all liquids, asbestos, batteries and mercury-containing components, and ensuring that the waste is recycled. The substances, materials and components removed shall be managed pursuant to the instructions in Annex 3.

(2) Any party which receives for subsequent treatment the substances, materials and components referred to in Annex 2 shall ensure that such substances, materials and components be managed in accordance with the guidelines in Annex 3.

Recycling and recovery requirements

23.-(1) Effective from 31 December 2006, producers and importers shall ensure that the following rates of WEEE recovery are met:

1) A minimum of 80 per cent of equipment falling under the categories 1 and 10 set out in Annex 1,

2) A minimum of 75 per cent of equipment falling under the categories 3 and 4 set out in Annex 1,

3) A minimum of 70 per cent of equipment falling under the categories 2, 5, 6, 7 and 9 set out in Annex 1.

4) A minimum of 80 per cent of gas discharge lamps.

(2) The recovery percentage shall be calculated based on the number of tonnes of waste received each calendar year and the proportion of this that is sent for recovery after special treatment (cf. section 21).

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

24.-(1) Effective from 31 December 2006, producers and importers shall ensure that the following rates of WEEE recycling are met:

- 1) A minimum of 75 per cent of equipment falling under the categories 1 and 10 set out in Annex 1,
- 2) A minimum of 65 per cent of equipment falling under the categories 3 and 4 set out in Annex 1,
- 3) A minimum of 50 per cent of equipment falling under the categories 2, 5, 6, 7 and 9 set out in Annex 1.

(2) The reuse or recycling percentage shall be calculated on the basis of the number of tonnes of waste received each calendar year and the proportion of this that is sent for reuse or recycling after special treatment (cf. section 21).

Municipal waste treatment sites

25.-(1) Municipal councils may continue to operate existing municipal waste treatment sites until 31 December 2006, where these have been put into operation prior to 1 January 2005 and are approved for the treatment of WEEE and waste from other electrical and electronic equipment.

(2) Municipal councils may continue to operate the municipal sites mentioned in subsection (1) after 31 December 2006 provided the following conditions are met:

- 1) the municipal council ensures that the site is segregated into an independent, limited company,
- 2) the municipal council ensures that in the process of carrying out the segregation mentioned in 1), the assets of the municipal site are valued at market price,
- 3) the municipal council ensures that the sites mentioned in subsection (2) are operated as independent financial entities, separate from the general operations of the council, in accordance with the principles in Directive 52/2000 on transparency in the financial connections between Member States and public enterprises,
- 4) the municipal council ensures that any company established under the conditions in this subsection is covered by current legislation governing submission of annual accounts, etc. by commercial companies,
- 5) the municipal council ensures that the operation of any company established under the conditions in this subsection is completely separate from the finances of the municipality, including municipal waste disposal fees, and
- 6) the municipal council ensures that any company established under the conditions in this subsection operates under normal market conditions.

Charges

26.-(1) A charge shall be levied, for each product group set out in Annex 1, for the processing of applications for enrolment or changes to enrolment on the producer register. This charge may not exceed DKK 5,000 per producer or importer per product group.

(2) A charge shall be levied for approval of individual or collective schemes. This charge may not exceed DKK 750 per hour spent.

(3) A charge shall be levied for administration of the allocation scheme. This charge may not exceed DKK 750 per hour spent.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

(4) The charges levied by the WEEE system shall cover the actual expenses associated with carrying out the tasks listed in subsections (1)-(3), but may not exceed the limits specified.

Supervision and appeals

27.-(1) Municipal councils shall supervise compliance with the provisions in this Statutory Order.

(2) However, the Danish EPA shall supervise compliance with sections 5, 9-13, 14(2), 15-20 and 23-25.

28.-(1) Appeals may be made against decisions made by the WEEE system to the Danish EPA (cf. section 9p(3) of the Act). Chapter 11 of the Act shall apply correspondingly.

(2) The regulations of the Public Administration Act and the Act on Public Access to Documents in Administrative Files shall apply to the cases in which the WEEE system makes decisions pursuant to this Statutory Order.

(3) The decisions of the Danish EPA under subsection (1) may not be brought before any other administrative authority.

Penalties

29.-(1) Unless a more severe penalty is applicable under other legislation, any person who:

- 1) fails to provide for the take back and special treatment of equipment under section 5(1), or fails to enrol or report information to the WEEE system under section 5(2),
- 2) fails to make use of collection and allocation schemes in accordance with section 8,
- 3) places EEE on the market without having enrolled on the producer register pursuant to the provisions in section 10,
- 4) receives and distributes EEE from producers or importers which are not enrolled in accordance with section 11,
- 5) places EEE on the market without having provided an appropriate financial guarantee pursuant to the provisions in section 12,
- 6) supplies incorrect or misleading information or fails to supply the required information in accordance with section 12,
- 7) fails to provide for the special treatment of WEEE in accordance with section 14(1),
- 8) supplies incorrect or misleading information or fails to supply the required information in accordance with section 15(2),
- 9) fails to collect allocated WEEE or fails to comply with collection conditions laid down in accordance with section 16,
- 10) fails to inform users of EEE in accordance with section 17,
- 11) fails to make the necessary information on reuse and treatment available to enterprises treating waste in accordance with section 18,
- 12) fails to report information pursuant to section 19,
- 13) fails to label EEE or electrical and electronic devices pursuant to section 20,
- 14) fails to render special treatment to WEEE in accordance with section 21 or subjects WEEE to special treatment in contravention of section 21,
- 15) fails to render special treatment to waste from other electrical and electronic equipment in accordance with section 22 or renders special treatment to such waste in contravention of section 22, or
- 16) fails to fulfil the recycling or recovery targets laid down in sections 23 and 24,

shall be subject to a fine.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

(2) The penalty may be increased to a prison sentence of up to 2 years, where it is found that the breach was committed deliberately or as a result of gross negligence, and where, in the course of the breach:

- 1) the environment has been adversely affected or exposed to danger
- 2) the person concerned has obtained or sought, for himself or others, financial gain, including by way of savings.

(3) Companies and others (legal persons) may be held criminally liable under the provisions of Chapter 5 of the Criminal Code.

Entry into force

30.-(1) This Statutory Order shall enter into force on 1 April 2006, except for sections 9, 10 and 20, which shall enter into force on 1 August 2005.

(2) Statutory Order no. 1067 of 22 December 1998 on management of waste from electrical and electronic products and circular no. 132 of 13 June 1996 on municipal regulations on disposal of CFC-containing refrigeration appliances shall be repealed on 1 April 2006.

The Minister for the Environment, 27 June 2005

Connie Hedegaard

/Helge Andreasen

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Annex 1

EEE categories, cf. section 3, no. 2 a)

- 1) Large household appliances
 - 2) Small household appliances
 - 3) IT and telecommunications equipment
 - 4) Consumer equipment
 - 5) Lighting equipment
 - 6) Electrical and electronic tools (with the exception of large-scale stationary industrial tools)
 - 7) Toys and leisure and sports equipment
 - 8) Medical devices (with the exception of all implanted and infected products)
 - 9) Monitoring and control instruments
 - 10) Automatic dispensers
-

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Annex 2

The following substances, preparations and components shall be removed by the selective treatment of waste from all types of EEE listed in Annex 1 (WEEE):

- Asbestos and components which contain asbestos
 - Batteries and accumulators
 - Cathode ray tubes
 - Electrolyte capacitors with height > 25 mm and diameter > 25 mm or proportionately similar volume
 - Gasses which are ozone-depleting or have a global warming potential (GWP) > 15, including CFCs, HCFCs, HFCs and HCs.
 - Gas discharge lamps and fluorescent tubes
 - Polychlorinated biphenyl (PCB)-containing capacitors
 - Mercury-containing components, such as switches and backlight lamps
 - Liquid crystal displays (together with their casing where appropriate) with a surface area exceeding 100 square centimetres
 - Liquid crystal displays back-lighted with gas discharge lamps
 - Plastic-containing brominated flame retardants
 - Printed circuit boards from mobile phones
 - Printed circuit boards from other devices if the surface area of the printed circuit board is greater than 10 square centimetres
 - Toner cartridges, liquid and pasty, as well as colour toner
 - Components containing refractory ceramic fibres
 - External electric cables
-

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Annex 3

The components listed below and others shall be treated according to the following guidelines:

Asbestos and components which contain asbestos:

Waste containing asbestos shall be stored in specially designed containers or bags.

Waste containing asbestos shall be delivered for disposal in compliance with the current regulations governing the treatment of asbestos-containing waste.

Batteries and accumulators:

Batteries shall be stored indoors in airtight containers.

Batteries shall be delivered to facilities treating batteries for recycling and disposal in accordance with the regulations in force at any given time on the treatment of battery waste.

Cathode ray tubes:

Treatment (collection, storage and transport) of equipment containing cathode ray tubes shall take place in such a manner as to avoid the breakage of cathode ray tubes.

The fluorescent coating shall be removed for recycling or disposal in a special landfill.

The fluorescent coating shall be stored in sealed containers.

Glass from cathode ray tubes shall be delivered to facilities authorised under section 33 of the Environmental Protection Act, or corresponding legislation abroad, to reprocess lead-containing glass with regard to its recycling.

If the lead content cannot be removed effectively during reprocessing, the glass may only be used as a raw material in the course of production of cathode ray tubes or similar items, where the lead constitutes an essential and approved constituent part.

Gas discharge lamps and fluorescent tubes:

The treatment (collection, storage and transport) of gas discharge lamps and fluorescent tubes shall take place in such a manner as to avoid the breakage or leakage of mercury.

Gas discharge lamps and fluorescent tubes shall be stored in specially designed containers and delivered to facilities authorised to reprocess mercury-containing light sources.

The mercury shall be removed and delivered to facilities authorised for the disposal of mercury pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

The maximum permissible mercury content in glass and metal fractions is 10 ppm.

Capacitors:

The treatment (collection, storage and transport) of capacitors containing polychlorinated biphenyls (PCBs) shall take place in such a manner as to avoid leakages.

Capacitors containing polychlorinated biphenyls (PCBs) shall be stored in specially designed containers.

Capacitors containing polychlorinated biphenyls shall be delivered to facilities authorised to treat PCB waste for disposal pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Provided that PCB residue content is less than 50 ppm, iron and other metals from capacitors may be delivered for reprocessing and recycling to facilities authorised pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Mercury-containing components:

The treatment (collection, storage and transport) of mercury-containing components shall take place in such a manner as to avoid the leakage of mercury.

Mercury-containing components shall be stored in specially designed containers.

Mercury-containing components shall be delivered to facilities authorised for the disposal of mercury-containing waste pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Liquid crystal displays:

The treatment (collection, storage and transport) of equipment containing liquid crystal displays shall take place in such a manner as to avoid the breakage of liquid crystal displays.

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Liquid crystal displays suitable for immediate integration into new products may be separated and reused for this purpose.

Liquid crystal displays unsuitable for reuse shall be delivered to facilities authorised for the treatment of liquid crystal displays for recycling or disposal pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Gas discharge lamps shall be removed and delivered to facilities as above.

Ozone-depleting gases and greenhouse gases:

The treatment (collection, storage and transport) of equipment containing ozone-depleting gases or greenhouse gases shall take place in such a manner as to avoid leakages.

Equipment containing gases which are ozone-depleting or have a global warming potential above 15, such as those contained in foams and refrigeration circuits, shall be delivered for reprocessing to facilities authorised pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Gases shall be extracted and collected using the best available technologies. The documentation supporting the use of best available technology shall be an RAL-certification or an assessment conducted by the relevant recognised review body, demonstrating that an average minimum of 115 g of gases from refrigeration systems and an average minimum of 300 g of gases from insulation foam are collected and destroyed during the treatment of household appliances (refrigerators and freezers), and that the residue levels of gases in insulation foams and compressor oils are 0.2 per cent as a maximum by weight.

Gases shall be destroyed at facilities authorised for such purpose pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Plastic-containing brominated flame retardants:

Plastic-containing brominated flame retardants shall be delivered to facilities authorised to treat waste with a high bromine content pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Plastics with a bromine content less than 5 ppm may be delivered for reprocessing and recycling at facilities authorised thereto pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Printed circuit boards:

Following the dismantling of capacitors, batteries, accumulators and mercury-containing components and of liquid crystal displays with gas discharge lamps, printed circuit boards shall be delivered to facilities authorised for the treatment of metallic wastes containing brominated flame retardants, PCBs and beryllium pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Toner cartridges, liquid and pasty, and colour toner:

Toner cartridges shall be delivered for incineration at waste incineration plants authorised thereto pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

Electric cables:

Electric cables shall be delivered to facilities mechanically reprocessing electric cables for recycling of the metal content. Such facilities shall be authorised for the treatment of cable waste pursuant to section 33 of the Environmental Protection Act or corresponding legislation abroad.

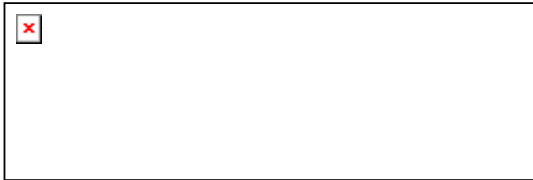
While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Annex 4

Symbol for the marking of EEE

The symbol indicating separate collection for EEE consists of the crossed-out wheeled bin, as shown below. The symbol shall be printed visibly, legibly and indelibly.



While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Annex 5

Types and methods of disposal, cf. section 3 10)

- D1 Landfilling on top of or under the ground (e.g. at landfill sites).
 - D2 Treatment in a soil environment (e.g. biodegradation of liquid waste or sludge in the soil, etc.).
 - D3 Injection into deep subterranean formations (e.g. injection of liquid or particular waste into drill holes, salt domes, or natural geological fissures, etc.).
 - D4 Depositing in surface water (e.g. discharge of liquid waste or sludge in drill holes, lakes or lagoons, etc.).
 - D5 Deposition at specially designed sites (e.g. placement in watertight covered compartments, separated and isolated from each other and the surrounding environment, etc.).
 - D6 Discharge into the aquatic environment, excluding dumping.
 - D7 Dumping, including burying in the seabed.
 - D8 Biological treatment not specified elsewhere in this annex, which results in compounds or mixtures that are disposed of by one of the methods listed in D1-D12.
 - D9 Physical/chemical treatment not specified elsewhere in this annex, which results in compounds or mixtures that are disposed of by one of the methods listed in D1-D12 (e.g. evaporation, drying, calcination, etc.).
 - D10 Combustion on land.
 - D11 Combustion at sea.
 - D12 Permanent storage (e.g. placement of containers in a mine, etc.).
 - D13 Mixing prior to one of the disposal methods listed in D1-D12.
 - D14 Transshipment or repacking prior to one of the disposal methods listed in D1-D13.
 - D15 Storage prior to one of the disposal methods listed in D1-D14 (apart from temporary storage prior to collection at the plant where the waste is produced).
-

While this translation was carried out by a professional translation agency, the text is to be regarded as an unofficial translation based on the latest official Statutory Order no. 664 of 27 June 2005. Only the Danish document has legal validity.

August 2005, GlobalDenmark a/s

Annex 6

Types and methods of recovery, cf. section 3 11)

- R1 Primary use as a fuel or other resource for energy generation.
- R2 Reclaiming or regeneration of solvents.
- R3 Recirculation or reclaiming of organic substances that are not used as solvents (including composting or other types of biological conversion).
- R4 Recirculation or reclaiming of metals and metal compounds.
- R5 Recirculation or reclaiming of other inorganic substances.
- R6 Regeneration of acids or bases.
- R7 Reclaiming of products used to absorb pollutants.
- R8 Reclaiming of products from catalytic agents.
- R9 Regeneration or other recycling of oil.
- R10 Spreading on soil with positive effects for agriculture or ecology.
- R11 Use of waste deriving from one of the methods listed in R1 to R10.
- R12 Exchange of waste with the aim of processing it using one of the methods listed in R1 to R11.
- R13 Storage of waste prior to processing it using one of the methods listed in R1 to R12 (apart from temporary storage prior to collection at the plant where it is produced).

Official notes

¹⁾ This Statutory Order contains provisions implementing parts of European Parliament and Council Directive 2002/96/EEC on waste from electrical and electronic equipment (WEEE), Official Journal of the European Union 2003 L 37, p. 24, and Directive 2003/108/EEC amending Directive 2002/96/EEC on waste from electrical and electronic equipment (WEEE), Official Journal of the European Union 2003 L 345, p. 106.