



Department
for Environment
Food & Rural Affairs



Department of
**Agriculture, Environment
and Rural Affairs**
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Llywodraeth Cymru
Welsh Government



Scottish Government
Riaghaltas na h-Alba

Consultation on reforming the producer responsibility system for waste electrical and electronic equipment

Date: 28 December 2023

We are the Department for Environment, Food and Rural Affairs. We are responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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Executive summary

Introduction

The United Kingdom is committed to protecting the environment. We all want to make:

- our air purer
- our water cleaner
- our land greener
- our food more sustainable
- our resources more efficiently managed

We want to restore and enhance the environment for the next generation, leaving it in a better state than we found it. A key part of the success of these ambitions will be how we tackle waste.

[The Resources and Waste Strategy for England](#) sets out how we will preserve our stock of material resources by:

- minimising waste
- promoting resource efficiency
- moving towards a circular economy, where materials are kept in use for longer

As well as detailing Defra's firm commitments and actions over the coming years, the strategy also provides clear, long-term direction for policy which is reflected in the [Environmental Improvement Plan 2023 for England](#).

Wales has achieved some of the highest municipal recycling rates globally. Its strategy '[Beyond Recycling](#)' sets out a number of key actions to achieve the objective of zero waste and net zero carbon emissions by 2050. These actions focus on changing how we use resources including promoting:

- re-use
- repair
- remanufacture
- recycling

The Scottish Government's circular economy strategy, '[Making Things Last](#)', published in 2016, sets out a clear vision and priorities for action to move towards a more circular economy. In this it set a series of ambitious targets to drive circularity. To ensure the necessary legislation is in place, the Scottish Government introduced the [Circular Economy \(Scotland\) Bill](#) in June 2023. This will help with the development of an economy which:

- reduces demand for raw materials
- designs products to last as long as possible
- encourages re-use, repair and recycling

In Northern Ireland, the [draft Circular Economy Strategy for Northern Ireland](#) was published in early 2023. Rethinking our use of resources is an essential part of tackling climate change and achieving net zero. The Department of Agriculture, Environment & Rural Affairs of Northern Ireland (DAERA) has also committed to publish a new waste management strategy for Northern Ireland. This strategy will set the policy direction for the future management of waste, through a range of actions and targets over the next 6 years.

This is a joint consultation between the UK Government, Scottish Government, Welsh Government and Northern Ireland Executive.

Net Zero

In 2019, the UK became the first major nation to legislate for **net zero** carbon emissions by 2050, with Scotland setting a legally binding target for 2045. This means that governments must shape policies and regulations that influence the transition of the whole economy towards net zero.

The UK Government, Scottish Government, Welsh Government and Northern Ireland Executive are committed to reducing electronic waste to cut carbon emissions. The resource extraction for, and manufacturing of, electronic products contribute to more than 50% of their lifetime of CO₂ emissions. The rise in purchases of electronic goods is a significant driver of emissions globally. By 2040, on current trends, it is estimated that worldwide emissions from the production and use of electronics could rise to a level exceeding half that associated with the global transportation sector today.

Residual waste

Residual waste is waste that is not collected separately for recycling. The UK Government has set a legally binding target to reduce residual waste (excluding major mineral wastes) per capita in England by 50% by 2042 relative to 2019 levels. This will see residual waste drop from 574kg per person in 2019 to 287kg in 2042. Along with the government's forthcoming Collection and Packaging Reforms, the reforms to the producer responsibility regime for waste electricals will be key to achieving this target. This will be realised through policies which will increase the convenience and availability of collections of waste electrical and electronic equipment (WEEE) for householders and reduce the amount of WEEE which is inappropriately disposed of in residual waste.

Extended producer responsibility (EPR)

The current system for collection and proper treatment of (WEEE is based on 'collective producer responsibility'. Producers of electrical and electronic equipment (EEE) contribute financially based on their market share in specified equipment categories. Household WEEE is collected separately, primarily via household waste and recycling centres, with producers financing the cost of collection and proper treatment since 2007.

While the collection of larger items such as washing machines and fridges is generally working well, [a recent study](#) shows that an estimated 155,000 tonnes of smaller household WEEE is thrown in residual waste bins each year, highlighting the need for more to be done to tackle this issue.

A [recent study on public attitudes and behaviours](#) found that around 86% of people think that it is worth recycling and taking the time to do properly. However, it also showed that many are unaware of, or have difficulty accessing, recycling points for WEEE.

We want your views on how we can make re-use and recycling WEEE easier by expanding the existing collections infrastructure to make it more convenient for the public and businesses to deal with their WEEE properly. We want the right incentives built into the system to support our wider circular economy ambitions, minimising the amount of EEE that becomes waste in the first place. We would like to extend these principles to WEEE that is produced by businesses and public sector organisations.

Principles for implementing an effective Extended Producer Responsibility System

The following core principles will act as a framework for reviewing existing producer responsibility schemes and developing new schemes and will apply as appropriate:

1. **Clear outcomes, objectives, targets and responsibilities** are set for each EPR scheme to support long term planning investment, and research and development by producers in specified sectors and the resource management sector.
2. **Producers to cover the full net cost of managing their products at the end of their life** including impacts on the environment and society so that objectives and targets are met.
3. **Modulated fees or other measures** are used to encourage producers to make more sustainable design, production and purchasing decisions in line with the waste hierarchy and our resources and waste priorities. For example, producers may pay a lower fee for products which are easy to re-use, repair or recycle and a penalty for those that are not.
4. Schemes are designed and implemented to make it **easy for consumers to play their part** whether through their choices at point of purchase, during ownership of a product, or at the end of its life.

The following principles underpin how we expect the EPR schemes to be organised. They will apply as appropriate to reformed and future EPR schemes:

5. **All producers are expected to pay into the system** either directly or through the price they are charged by others in the supply chain, in line with the 'polluter pays' principle. These payments will be proportionate and without unnecessary administrative burden.
6. Appropriate measures are put in place in each part of the United Kingdom to increase transparency of markets, target setting and costs, in order to drive efficiency and reduce waste crime along the value chain and ensure **costs to producers are fair, necessary and transparent**.
7. **Government will support measures relevant to a scheme's targets and objectives and ensure that costs to Local Authorities are met where appropriate**.
8. EPR measures should **complement other policy measures** which aim to achieve similar outcomes (such as product standards, resource efficiency criteria and landfill tax).
9. **Appropriate governance, compliance and enforcement arrangements** will be decided for each individual scheme, as not all products or materials will benefit from the same approach. These will, however, need to enable delivery of the principles set out above.

We want to measure the success of the new WEEE EPR Scheme in each part of the United Kingdom. We consider that whatever measures of success are adopted for the scheme, there should be a presumption in favour of incorporating drivers providing parity of performance on a nation-by-nation basis (for example where appropriate, setting nation level targets). We must also ensure that any additional metrics we use for measuring the performance of the system can be broken down on a nation-by-nation basis. We want to see data and reporting at a more local level so we have a better picture of how the system is performing and can target appropriate interventions in areas where there may be low levels of performance.

Purpose of this consultation

The purpose of this consultation is to seek views on reforms to the Waste Electrical and Electronic Equipment Regulations 2013, which are intended to drive up levels of separately collected WEEE for re-use and recycling. We want to ensure producers and distributors of electrical and electronic products finance the full net cost of collection and proper treatment of products that end up as waste. The proposed reforms will also support the drive towards a more circular economy by ensuring products are designed to have a lower environmental impact than those which we consume today and to ensure products stay in use for longer.

Research indicates that lack of convenience and awareness are both key inhibitors to driving higher collections. What is convenient for one person may be less so for another. Order from an online seller and you can often have goods delivered to your home or you can pick up from a collection point. Our proposals offer a similar choice when the products we consume become waste.

It is proposed to introduce a UK-wide household waste collection system for both small and bulky items. That will be largely financed by the importers and manufacturers of the equipment we consume. However, where a replacement large appliance, such as a fridge, is delivered to your home we propose that the seller should have an obligation to take away the old appliance, if requested to do so, at no additional charge.

But we recognise that a home collection service may not suit every circumstance. Storage for example could be an issue for those with limited space. So householders will still be able to take unwanted electricals to their local household waste and recycling centre. We are also proposing to strengthen the existing take-back obligations placed on large retailers to enable easy drop off with them of unwanted items. A similar obligation would apply to online sellers. In these instances, producers would continue to finance the costs of proper treatment, recycling or preparation for re-use of items that are collected by retailers and online sellers.

In addition, we set out proposals to place new obligations on Online Market Places. Finally, we want to ensure producers of vapes properly finance recycling costs when they become waste. All these proposals are supported by an accompanying impact assessment. Separate impact assessments have also been carried out by Scottish Government.

Our proposals on vapes complement those set out in [Creating a Smoke Free Generation and Tackling Youth Vaping](#), published in October 2023. It proposes action the government will take to tackle smoking and youth vaping. It explores proposals to restrict the sale and supply of disposable vapes. [Creating a smokefree generation and tackling youth vaping: your views](#) consultation is live and closes on December 6.

Alongside this consultation document, we have also published a call for evidence. The call for evidence sets out wider areas for reform in which detailed proposals and an accompanying impact assessment have yet to be developed. Nevertheless, we have set out some specific areas on which we would welcome additional evidence and views to assist further policy development ahead of consulting on formal UK-wide proposals supported by a full assessment of costs and benefits. Taken together, the proposals set out in this consultation and those in the call for evidence represent our intentions for WEEE reform.

The various ideas in the call for evidence will need further development and consultation before they can be implemented. This means that not all the reforms will be made at the same time. Indeed, it is envisaged that reforms will be phased starting potentially as early as next year with measures on online marketplaces, free collection of large domestic appliances by retailers on delivery of a new item and the introduction of a new EEE category for vapes, which are discussed in this consultation document. The start of the rollout of the household collection

system is anticipated from 2026, along with the other measures sets out in this consultation document. It is anticipated that policy proposals arising from the call for evidence will be phased in over a longer timeframe.

This package and the subsequent government response should be taken as a review and report of the Waste Electrical and Electronic Equipment Regulations 2013 as required under Regulation 93.

Geographical extent and definitions

Producer responsibility and waste policy are devolved matters. The UK Government (acting for England) the Scottish Government, the Welsh Government and the Northern Ireland Executive have agreed to continue with a UK-wide approach to WEEE Extended Producer Responsibility. Accordingly, this consultation is being undertaken jointly by all four administrations.

In Northern Ireland, the outcome of this consultation will inform decisions of an incoming Minister for Agriculture, Environment and Rural Affairs, or in the absence of a minister, those decisions that can be taken under the Northern Ireland (Executive Formation etc) Act 2022. This applies to all proposals in the consultation document. Where reference is made in this document to the UK Government in relation to matters of devolved policy, it is the UK Government acting for England. This document and descriptions of existing law therefore relate to England, Scotland, Wales and Northern Ireland.

References to Ministers are references to Ministers of each administration. Reference to ‘the regulator’ or ‘regulators’ are references to the Environment Agency (EA), the Northern Ireland Environment Agency (NIEA), Natural Resources Wales (NRW) and the Scottish Environment Protection Agency (SEPA) unless stated otherwise.

Reference to “Local Authorities” includes district councils in Northern Ireland.

Audience

Responses to this consultation are welcomed from:

- businesses involved in the design, production and specification of electronic and electrical products
- businesses who manufacture electronic and electrical products and who place these products on the UK market
- retailers, online marketplaces and importers of electronic and electrical products
- Electronics Producer Compliance Schemes
- organisations involved in the re-use sector
- organisations involved in the management and recycling of electronic waste including Local Authorities, waste management companies, brokers, dealers, carriers exporters, and re-processors
- other organisations such as professional and membership organisations, Non-Governmental Organisations, consultants and charitable organisations who have an interest in how electronic waste is managed in the UK
- members of the public

Responding to the consultation

Please respond to this consultation in one of the following ways:

Online using the [Citizen Space consultation hub](#).

For ease of analysis, responses via the Citizen Space platform would be preferred, but alternative options are provided below if required:

By email to weee@defra.gov.uk

Written responses by post to:

Consultation Coordinator,
Defra 2nd Floor, Foss House,
Kings Pool 1-2 Peasholme Green
York
YO1 7PX

Please note, any responses sent by post must have arrived at the above address by the closing date of the consultation to be counted. Unfortunately, we cannot analyse any responses received after this date. To ensure your response is included in the analysis, please consider responding online via Citizen Space.

Defra is managing the consultation process on behalf of the UK, Scottish and Welsh Governments and the Department for Agriculture, Environment and Rural Affairs in Northern Ireland.

The Scottish and Welsh Governments will have access to the consultation responses provided via the Citizen Space consultation hub. If you would like to send a copy of your consultation response to the Scottish and/or Welsh Governments, then please send by email to:

Scotland: producerresponsibility@gov.scot

Wales: ResourceEfficiencyAndCircularEconomy@gov.wales

If you are responding from Northern Ireland please ensure a copy of your response is also sent to: EPRTeam@daera-ni.gov.uk

Duration

This consultation will run from Thursday 28 December 2023 and closes on Thursday 7th March 2024.

After the consultation has closed

A summary of the responses to this consultation and the Government response will be published and made available on Government websites at www.gov.uk/defra, www.daera-ni.gov.uk, www.gov.scot and www.gov.wales

The summary will provide a list of organisations that responded but will not include personal names, addresses or other contact details. Information provided in response to this consultation document, including personal information will, however, be shared with the Scottish Government, Welsh Government and Northern Ireland Executive. It may also be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes for example, the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018.

If you would like any information, including personal data you provide to be treated as confidential, please say so clearly in writing when you submit your response to the consultation and explain why you require these details to be kept confidential.

If we receive a request for disclosure under the FOIA, we will take full account of your explanation, but due to the law we cannot provide an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as a confidentiality request.

Defra is the data controller in respect of any personal data that you provide. [Defra's Personal Information Charter](#) gives details of your rights in respect of the handling of your personal data.

Compliance with consultation principles

This consultation is being conducted in line with the Consultation Principles set out in the Better Regulation Executive guidance which can be found at: <https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments or complaints about the consultation process, please address them to: By e-mail: consultation.coordinator@defra.gov.uk

Or in writing to:

Consultation Co-ordinator,
Defra 2nd Floor, Foss House,
Kings Pool 1-2 Peasholme Green
York
YO1 7PX

Questions about you

A wide range of businesses, organisations and individuals are involved with or take an interest in electricals and managing waste electricals. The questions below are intended to grasp this diversity and put your responses in perspective with those of other respondents.

1. What is your name?

Association of Directors of Environment, Economy, Planning and Transport (ADEPT)

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents Place Directors from county, unitary and metropolitan authorities, along with Directors of Local Enterprise Partnerships and corporate partners drawn from key service sectors. ADEPT members are at the very heart of maximizing sustainable growth in communities throughout the UK. We deliver

the projects that are key to unlocking broader economic success and creating more resilient communities, economies and infrastructure

2. What is your email address? Wendy.barratt@devon.gov.uk

This is optional, but if you enter your email address you will be able to return to edit your consultation response in Citizen Space at any time until you submit it. You will also receive an acknowledgement email when you submit a completed response.

3. Which of the following best describes you?

Please provide the name of the organisation, institution or business you represent and the approximate number of staff it employs. Please choose one option. If multiple categories apply, please choose the one which best describes the organisation you are representing in your response.

- trade body or other business representative organisation
- electronic producer
- Producer Compliance Scheme
- distributor (including online marketplace)
- waste management company
- waste operator or re-processor
- exporter
- local government
- community group
- non-governmental organisation
- charity or social enterprise
- re-use or repair operator
- consultancy
- academic or research
- individual (ie not representing an organisation)
- other
- If you answered 'Other', please provide details

4. Would you like your response to be confidential?

Answer Yes or No

5. If you answered 'Yes' to question 4, please briefly explain why you require your response to be confidential.

Policy proposals

1. Increasing collections of waste electrical and electronic equipment from households

Background

Local Authorities choose to register their household waste and recycling centres (HWRCs) and waste transfer stations as a designated collection facilities (DCF) under the WEEE Regulations. If they are registered as a DCF, they are required to make on-site provision for the separate collection of:

- large domestic appliances
- TVs and computer monitors
- fridges and freezers
- lamps
- solar panels
- all other household equipment

Producers, via membership of a Producer Compliance Scheme (PCS), are obligated to finance the cost of collection and proper treatment of WEEE that is deposited at HWRCs. This is likely to be WEEE directly deposited by householders but will also include WEEE collected via bulky waste collections, bring banks (as defined in the glossary) or through kerbside collection services. The cost of collection and proper treatment of any fly-tipped household WEEE that has been recovered by Local Authorities and taken to a HWRC would also be met by a PCS. Producers who place less than 5 tonnes of EEE on the UK market per year are exempt from these financial obligations and simply need to report annual placed on the market data to their environmental regulator.

86 Local Authorities provide a kerbside collection service for small items of electrical waste. However, for most householders, their local HWRC is the only Local Authority facility provided for recycling of WEEE. Chargeable bulky waste collection services are available to residents for large WEEE such as washing machines or fridges. Although Wales recognises the role that kerbside collection can play, it will come forward with proposals for the establishment of re-use and recycling hubs for the collection of electrical items and will consider how this can be supported by WEEE collection including from the household.

Case for change

The UK needs a robust waste collection infrastructure which makes it easier for householders to recycle or dispose of their unwanted equipment. At present, householders can return WEEE free of charge to their local HWRC. A total of 309,360 tonnes of WEEE was collected at HWRCs and Local Authority waste transfer stations in 2019.

However, we must make it more convenient for householders to dispose of unwanted electricals – particularly small items that are simply thrown in the bin. [2020 research](#) indicates that 155,000 tonnes of WEEE is disposed in residual waste annually. In 2019 to /2020, of 976,000 fly-tipping incidents, 5% included “white goods” and 1.5% other equipment.

A significant amount of unwanted equipment is hoarded by householders, meaning there is a loss of resources embedded in those products. A [nationally representative survey](#) of UK adults from the Royal Society of Chemistry and Ipsos Mori also sheds light on the amount of redundant and unused equipment which is stored by householders, with 51% of respondents indicating that they had at least one item of unwanted equipment in their home and 45% having between two and five items.

We believe it is essential to expand the existing household waste collection infrastructure across the United Kingdom to include free of charge collections of small WEEE and bulky WEEE from the home. This will bring a new level of convenience to householders that we believe will drive behaviour change leading to higher levels of recycling. We will put in place other measures for re-use and will ensure effective communications to drive consumers towards re-use routes for equipment which is still functioning.

We want to explore options for a UK-wide household collection system for WEEE financed and led by producers. We consider that delivery of this service is likely to be best met through a producer-led Scheme Administrator. This Scheme Administrator would need to meet certain criteria set down by government. The assumption is that the Scheme Administrator would deliver this by contracting with Local Authorities and their service providers but this would ultimately be decided by the producer-led body. It is not proposed to in this consultation to mandate local authorities to establish a household collection service for WEEE nor to regulate on the precise manner in which householders will be required to present their WEEE to the producer financed collection system. A household WEEE collection service does not necessarily require a separate receptacle as demonstrated by some councils who already offer a service that simply requires small electricals to be placed in a used carrier bag.

Such an approach should focus upon dual incentivisation, on the part of producers and Local Authorities to ensure that both parties deliver. The assessment of producers’ obligations should reflect good practice and reasonable benchmarks of costs and performance of comparable areas of the country. Subject to putting in place a similar producer obligation for the collection of portable batteries from the household, we consider this Scheme Administrator approach would also be appropriate in that instance. It should be noted, however, that will be considered under the separate batteries consultation which is scheduled to follow in 2024.

Costs and approach will vary in different areas so arrangements and apportionment of costs to producers must reflect the human and physical geography of local areas, including but not limited to levels of deprivation, rurality and dwelling type. A key principle must be to ensure that WEEE is collected from all households throughout the UK, not just in areas which are the most profitable or least costly.

As indicated above, producers who place less than 5 tonnes of equipment on the UK market annually are exempt from these PCS financial obligations. We would welcome views on whether this 5-tonne threshold is still appropriate.

Communications

Effective communications, funded by producers, about the provision of household collection services for small WEEE and bulky waste services collecting large WEEE will be essential if we are to drive up collection levels. In line with the waste hierarchy, communications should emphasise the benefit of re-use and re-use options where possible. Communications should also include advice on what to do with data embedded devices. We welcome further evidence on the likely cost of delivering that message effectively across the UK.

Our proposals for increasing collections of waste electrical and electronic equipment from households

- **Proposal 1.1:** For producers of electronic and electrical products to be responsible for financing kerbside collections of small household WEEE

The proposal moves the point of producer responsibility from the local authority household waste and recycling centre to the home. Local Authorities already provide householders with waste and recycling collection services. The proposal would place an obligation on producers to fund separate household waste collections. The costs and benefits set out in the accompanying impact assessment assume that producers, via the producer-led Scheme Administrator, would seek to deliver the service by integration with existing kerbside collection services provided by Local Authorities. But we do not propose constrain producers on their delivery partners they must work with or that local authorities be mandated to separately collect WEEE. We therefore welcome your views on whether other alternative approaches delivered and financed for producers via a Scheme Administrator might provide better value for money whilst crucially providing equal convenience to the householder as that which could be provided by Local Authorities.

We envisage that the costs of establishing and operating the service would be financed by producers and delivered through a Scheme Administrator. We anticipate such a service should take the form of a regular collection round but welcome views on the frequency of such a round in order to balance impact against efficiency. We also welcome views on whether a service could be delivered via an “on demand” approach, a regular collection round or potentially a mix of approaches in different areas.

We want your views on how small WEEE should be defined, for example, by weight or dimension. We would also like to know whether or not there are any products that could generate any risks from being included in a household collection arrangement.

A [report commissioned by Material Focus](#) sets out the options and costs for a kerbside service delivered by Local Authorities which form the basis of our Impact Assessment.

We believe the financial obligation should rest with producers of household equipment and any distributors that do not provide their own take-back services for unwanted equipment (see **chapter 2 on distributor obligations**). Those obligations should recognise geographic disparities particularly prominent in servicing rural areas, including the Highlands and Islands of Scotland. Geographical factors must be considered to ensure all types of rural Local Authorities are compensated fairly for costs beyond their control.

We envisage that a producer-led Scheme Administrator would be necessary to carry out the functions necessary to rollout a UK-wide household collection service on behalf of producers. Such a body would for example be responsible for negotiating contracts with delivery partners such as Local Authorities and waste management companies and collecting necessary funding from producers or their PCSs. We welcome views on the period of time such a body

would require to put in place a household collection service across the UK. See **Chapter 5 on our proposals to establish a new Scheme Administrator**.

- **Proposal 1.2:** For producers (and distributors that do not provide take-back services) of equipment to finance bulky waste collections for householders for large items of WEEE.

We propose that producers have an obligation to finance the cost of bulky waste collection services for WEEE that is typically provided by Local Authorities, on request, often as a chargeable service. The obligation would be to provide a free of charge service to households on request, for WEEE too large to be collected via a future collection service for smaller items described under Proposal 1.

As with the obligation to provide a household collection service for small WEEE we envisage that partnerships with Local Authorities (or other local service providers) are in many cases likely to be the most cost effective and efficient way for producers to fulfil this obligation and such an approach is reflected in the accompanying impact assessment. Such an approach is likely to bring efficiencies particularly where householders have a number of other, non-WEEE bulky items to discard (for example, furniture). However, it is not proposed to constrain producers on the delivery partners they work with.

Any producer-led Scheme Administrator is likely to have a key role to play in discharging the obligation set out in this proposal and would likely play a similar role to that envisaged for meeting the household collection obligation for small items of WEEE, as outlined under proposal 1.

Questions

6. Do you agree or disagree that producers (and distributors that do not provide their own take-back services for electric and electronic goods) should finance collections of small WEEE (for example, toasters, small toys and tools), from households? Please select one of the following options:
 - a. Agree
 - b. Disagree
 - c. Unsure
7. Please provide evidence any evidence you have to support your answer to question 6.

ADEPT considers that producers (and distributors that do not provide their own take-back services for electric and electronic goods) should finance collections of small WEEE from households - this will then provide an easy and convenient way for the public to recycle their WEEE. This will ensure as much WEEE as possible is properly recycled and does not end up in residual waste streams (the disposal costs of which are currently met by Local Authorities)
8. Recognising the need to balance frequency of service with efficiency, what frequency should a WEEE collection round be provided? Please select one of the following options:
 - a. Weekly

- b. Fortnightly
- c. Monthly
- d. On demand

9. Please provide any evidence you have to support your answer to question 8.

ADEPT considers that collections services should be regular and convenient to ensure maximum participation by the public. However, it is accepted that the precise collections frequency is likely to vary between areas. If services are too infrequent, then the public will forget when to put their WEEE out for collection.

10. Would there be benefit in providing for different arrangements to apply in different areas according to circumstances, for example, on demand in some areas and regular collection round in others? Please provide any evidence you have to support your answer.

ADEPT considers that collections services should be regular and convenient to ensure maximum participation by the public. However, it is accepted that the precise collections frequency is likely to vary between areas. ADEPT does not consider that on demand services would be overly practical or efficient, both through the householder having to arrange such collections or the collector having to make special trips (with the exception of very remote dwellings). A fixed, regular service that is well publicised would provide the best results.

11. What should items qualifying for this service be defined by:

- a. Weight
- b. Dimension

Dimensions should be used that make it as simple and easy as possible for the public to follow – for example, the acceptance of any small WEEE that will fit into a standard carrier bag (or similar).

12. Please specify any products that, due to their properties, should be excluded from the small WEEE household collection service.

Please provide evidence to support your answer. ADEPT believes that a service to collect all small WEEE for recycling should be offered as part of the Household WEEE collection service. If WEEE items with various hazardous or other properties are not collected, such waste is likely to end up in the residual waste stream where they have the potential to cause significant problems (eg fires) & are not recycled. Producers, not Local Authorities, should be fully responsible for the risks and costs associated with the collection of all the products that they place on the market, and to maximise the amount of small WEEE that is recycled.

13. For any products listed in response to question 12, what measures should be put in place to drive up levels of their separate collection to minimise disposal in residual waste? Household collection services put in place should be as easy and convenient as possible for householders to use.

14. Do you agree or disagree that producers (and distributors that do not provide their own take-back services) should finance collection of large WEEE? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

15. Please provide any evidence you have to support your answer to question 14.

ADEPT considers that producers (and distributors that do not provide their own take-back services) should finance collections of large WEEE from households - this will then provide an easy and convenient way for the public to recycle their WEEE. This will ensure as much WEEE as possible is properly recycled.

16. Do you agree or disagree that a producer-led Scheme Administrator, approved by government, is best placed to determine the most practical and efficient delivery mechanism to manage producer obligations to finance small and large WEEE collections from households? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

17. Please provide any evidence you have to support your answer to question 16.

ADEPT agrees that a producer-led Scheme Administrator, approved by government, is best placed to determine the most practical and efficient delivery mechanism to manage producer obligations to finance small and large WEEE collections from households. However, the Scheme Administrator must be legally obligated or otherwise 'incentivised' to deliver/perform (to maximise WEEE collections and recycling) by the imposition of strict targets, with meaningful financial penalties for failing to provide services and/or failing to collect enough WEEE. It would be unacceptable for the Scheme Administrator to not perform duties/obligations on the basis that it is too costly/too difficult etc to deliver services in certain areas. Activities undertaken by the SA should be fully transparent and Local Authorities should have representation on any Steering Groups set up to oversee the SA.

18. Do you agree or disagree that the most efficient and cost-effective delivery of the obligation to provide a regular household collection service for small WEEE and bulky waste collections for large WEEE is likely to be achieved through partnerships between a Scheme Administrator and Local Authorities and their waste management partners? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

19. Please provide any evidence you have to support your answer to question 18.

Whilst it is likely many Local Authorities will partner with the Scheme Administrator, some LAs will not have the ability to do so (e.g. through lack of space on collection vehicles etc). As such, the approach of allowing the Scheme Administrator to deliver

the service by the use of other service providers/collection agents is welcomed. It will then be for the Scheme Administrator to determine the most practical, efficient and effective local solution. It is essential that producers are not constrained regarding the delivery partners they must work with, or that local authorities be mandated to separately collect WEEE.

20. If you answered agree to question 16, what, if any, safeguards might be necessary to ensure costs incurred by producers in meeting the WEEE household collection obligation are reflective of the actual costs of delivery through their service partners?

The Scheme Administrator will need to fully understand potential costs prior to selecting local service delivery partners (e.g. via a commercial tender exercise or similar) – this will enable the system to be as competitive as possible.

21. Do you agree or disagree with the analysis of this proposal set out in the accompanying Impact Assessment? Please select one of the following options:

- a. Agree
- b. Disagree.
- c. Unsure

22. Please provide any evidence you have to support your answer to question 21.

The analysis generally appears to provide a sensible and comprehensive evaluation of the problems with the current WEEE system and proposals/solutions to address these issues.

However, ADEPT does not necessarily agree with the analysis surrounding the issue of Local Authority (LA) WEEE kerbside collection solutions/costs. The analysis assumes that all Local Authority Refuse collection vehicles or kerbside sort vehicle could accommodate or be retrofitted to accommodate small WEEE collections. We do not consider that this will be possible for some LAs (due to a number of issues with vehicle capacity; presence of existing underslung cages for alternative materials etc) and as such it should be assumed that the Producers will have to utilise alternative collection agents in some areas. In addition, the analysis does not consider issues around the need to accommodate additional WEEE in LA depots etc (some of which are constrained) and the further complexities of the potential need for Environmental Permits or variations to Environmental Permits that may come at significant expense.

23. Are there are other means of delivering a cost effective and efficient household collection service to that described in question 18, with alternative delivery partners to Local Authorities and if so, what might that look like?

ADEPT believes that the market will provide solutions to this. There are many companies currently providing door to door services (eg couriers/postal services etc) or other commercial groups that are likely to be able to provide collection solutions if it is commercially attractive to do so. The Scheme Administrator will need to ensure that any collection solution remains economically attractive (whether partnering with LAs or other service providers).

24. Please provide any other comments and supporting evidence on the proposal for producers (and distributors that do not provide take-back services) to finance a system

of kerbside collection of small WEEE and on-demand collections of large WEEE for households?

Government need to mandate the collection of small/large WEEE from all households (to be arranged and paid for by Producers). It is recognised that some households will be significantly more costly to collect from than others (depending on location; local delivery partner/local delivery solution etc). The legislation must be robust enough to compel collections from such Households rather than the Producers/distributors dismissing such Households collections as too costly/uneconomic.

25. Producers who place less than 5 tonnes of equipment on the UK market each year are exempt from financial obligations under the WEEE Regulations. Does that 5-tonne threshold remain appropriate? Please select one of the following options:

- a. Yes
- b. No
- c. Unsure

26. If you answered no to question 25, what tonnage threshold is appropriate? Please provide evidence in support of an alternative threshold

It is considered a 0.5 tonne threshold to be more appropriate. This will exempt very small businesses whilst also ensuring as many Producers as possible are responsible for the costs of recycling their products.

27. Are there alternative, non-regulatory approaches that could be established to increase separate collection of WEEE from households for re-use and recycling? If so, please describe what this might look like.

ADEPT does not consider there are alternative, non-regulatory approaches. Currently, the majority of 'easy to capture' WEEE is already collected, leaving WEEE that is harder to reach and hence more costly to capture/collect. Producers will require legislation to ensure that they will collect this 'harder to reach' WEEE as it is not in their commercial interests to collect it on a voluntary basis.

2. Increasing distributor collections infrastructure

Background

A distributor is any person in the supply chain who makes an item of equipment available on the market. There are two types of distributors that we will discuss - retailers (those who sell household equipment and have at least one physical store) and internet sellers who provide household equipment via an online channel. Distributors already have obligations in relation to the take-back of unwanted equipment from householders. These are to:

- provide a free one-for-one take-back service for unwanted equipment from householders on the purchase of a new item with a similar function;
- provide free take-back of very small equipment if their store sales area is more than 400m²

- provide customers with information about the role of retailers and internet sellers in the take-back of electrical items and options available to the customer for the recycling of their unwanted WEEE.
- require retailers to keep a record of the amount of WEEE they collect from private households.

Under the current system, many retailers and internet sellers can discharge their obligations by joining the Distributor Takeback Scheme (DTS) as an alternative to providing take-back facilities themselves. This scheme has raised over £13 million from retailers and internet sellers since 2007 and has provided £9 million of funding to Local Authorities to establish separate collection facilities for WEEE at household waste and recycling centres and £1 million of subsequent site maintenance funding. The remaining £3 million supports local projects aimed at driving higher levels of re-use and recycling.

Case for change

Chapter 1 sets out our proposals to establish a producer-financed, free of charge household collection system for both small and bulky WEEE. However, government believes there remains a compelling case for strengthening the existing distributor takeback obligations placed on retailers and online sellers. Convenience is a key inhibitor to driving increased collections. What is convenient for one person maybe less so for another. What our proposals seek to deliver is choice. Households in future will be taking drinks containers to the supermarket to reclaim deposits under the proposed deposit return scheme. For some people returning a broken toaster at the some time may be convenient. Others will choose to access the household collection service.. If a householder has a bulky item such as a fridge delivered, requiring the seller to take away the unwanted fridge whilst at the home is the most efficient and convenient way of taking that item away for reuse or recycling.

The design and development a system producer financed household collection across the UK will take time to implement. In the meantime, we want strengthen existing retailer obligations under the current regulations to capture more WEEE from householders. This chapter outlines a number of proposals designed to do this, which are capable of being delivered on a UK wide basis more quickly. Once the household collection system described in chapter 1 is in place, we will review the relationship between that and the retailer obligations as part of a statutory post implementation review.

The UK has one of the lowest collection rates from retailers and internet sellers in Europe. Research^o indicates that the UK is currently the only country in Europe that provides an alternative to retailers and internet sellers from providing take-back facilities themselves. There is evidence that mandating retailers to offer a free of charge, physical take-back service can have benefits in terms of increasing collections, given their proximity to householders, particularly where that is supported by effective communication to consumers.

[Research by Ipsos Mori](#) has shown that convenience plays a large factor in ensuring householders discard of their unwanted electrical items properly and 42% of consumers surveyed said they would use collection points at supermarkets, 48% in petrol stations and other shops if they were available. Several countries, including Germany, Belgium and Ireland, already have more comprehensive requirements for retailer take-back than European legislation requires, with free take-back on delivery of new products and take-back of small items in store without the requirement to purchase a similar item. [Research](#) shows that retailer take-back has been shown to be most effective in countries where there is a strong emphasis on communications campaigns, such as in France and the Republic of Ireland.

Since January 2021, the government has required large retailers, with an annual turnover of £100k of electrical sales or more, to provide in store take-back on a one-for-one, like-for-like basis on the sale of a new item. Those retailers are no longer able to fulfil their obligations via membership of the DTS. Online only retailers and small retailers with an annual turnover of less than £100k per annum can continue to fulfil their obligations by membership of the current DTS. We want to consider further options for increasing collections through retailers and online

Retail take-back systems will often ensure unwanted items are handled in a similar fashion to new equipment and are not exposed to the elements as is typical at household waste and recycling centres. This leads to an increase in the re-use potential of unwanted equipment and so supports our drive towards a circular economy. The value of re-usable material is already recognised by major retailers who often have strategic relationships with partner organisations for the supply of equipment that has re-use potential thus prioritising re-use over recycling.

Kitchen retail is a significant channel for sale of large domestic appliances which results in large numbers of waste appliances. Anecdotal evidence suggests a lot of these waste appliances are not returned into the producer financed WEEE system. Currently the supplier or installer may not have an obligation to take-back the old appliance, leading to the discarded item not being captured by the existing WEEE Regulations and a high risk of inappropriate treatment. Our proposals seek to address this issue.

Our proposals for increasing distributors collections infrastructure

- **Proposal 2.1:** for internet sellers and retailers to provide a free of charge collection on delivery service, requiring the free takeback of large domestic appliances such as washing machines, dishwashers, fridges, freezers and TVs.

Large appliances are usually delivered to the customer's home irrespective of whether the item was purchased in store or online. Retailers and internet sellers will offer to take an old appliance away for a supplementary charge. That charge acts as a disincentive to some consumers to ensure an unwanted item is properly recycled. We therefore propose to mandate that no charge can be made by the retailer or internet seller for the provision of this service. This obligation would apply to any retailer or internet seller who provides equipment directly to the customer's home.

We would welcome your views on whether some flexibility should be built into the requirements recognising that items may need to be disconnected or emptied (for example, a freezer) and so may not be ready for collection at the same time as delivery of the new item. There might also be circumstances when the delivery vehicle may not have sufficient spare capacity to take the old appliance away at the point of delivery.

We propose ensuring this obligation also applies to kitchen retailers, online sellers and warranty providers. The UK Government is committed to consulting by 2026 on the extent such an approach might also be extended to the furniture, mattress and soft furnishings sectors.

Our research indicates that at least one major retailer's collection on delivery service also includes the opportunity for householders to hand over small items of WEEE as well as their old appliance. We would welcome your views on whether to mandate that requirement.

- **Proposal 2.2:** for internet sellers with a turnover of over £100k of electrical sales each year to offer take-back of unwanted equipment on a one-for-one, like-for-like basis.

The intention here is to provide parity with the one-for-one, like-for-like take-back obligation that currently applies to retailers. The service should be of at least equivalent convenience to that currently provided by businesses selling via physical stores. This could for example be offered via a collection on delivery service, access to local drop off points, a system of pre-paid or refundable returns akin to that provided for return of unwanted purchases. We welcome views on how this should apply to those companies selling via online marketplaces and/or fulfilment houses.

This proposal would be in addition to the obligation outlined in Proposal 1 where they are required to offer free collection on delivery for large items. We welcome your views on the extent to which this obligation should apply to fulfilment houses and/or online marketplaces where they are used by the distributor.

We welcome your views on how distributors should be defined in this provision recognising that we want obligations to be fairly applied across different types of distributors. For example, distributors who sell the majority of their goods online, but also having one or more physical stores should not be able to meet their collection obligations at those stores alone. We would also like views on whether obligations should rest with the relevant fulfilment house or online marketplace where the product has been supplied from overseas, with no UK based distributor.

- **Proposal 2.3:** for retailers with a turnover of over £100k of electrical sales each year to provide free takeback of unwanted electrical equipment in store without the need to purchase a new item (0:1 takeback).

This obligation would only apply to those retailers who already have to offer a one-for-one, like-for-like take-back service, as of January 2021. This threshold reflects that currently applied to businesses that must provide in-store take-back and cannot meet their obligations by membership for the Distributor Take-back Scheme. We would welcome evidence on whether this is an appropriate break point.

Whilst the obligation to provide a take-back service would not be linked to the purchase of a new item, we would welcome your views on whether the retailer should only be obliged to take-back the item if they sell the same type of item in store. Such an approach could make the obligation clearer for both retailers and consumers and would be easier to communicate. It would avoid a scenario, for example, where a specialist electrical store only selling lighting products would be required to take-back a toaster. We also welcome views on whether the obligation should be subject to “reasonable limits” on the amount of WEEE any householder would be permitted to take-back to a retailer. This might mean that the customer is only allowed to bring back a certain number of items at any one time. Introducing this new obligation would bring about a substantial increase in available WEEE collection points thereby increasing consumer choice and convenience. It would bring greater consistency with the existing takeback obligations for batteries under the Waste Batteries and Accumulators Regulations 2009.

Such a requirement might be challenging for internet sellers, fulfilment houses or online marketplaces to implement effectively. We would welcome your views on alternative

obligations for internet sellers such as payment into a scheme, similar to the current Distributor Take-back Scheme.

- **Proposal 2.4:** for retailers and internet sellers to make customers aware of their disposal options for unwanted equipment at the point of sale

Communications will play an important part of successful delivery of the measures outlined in Proposals 1-3. Government believes retailers and internet sellers must ensure customers are aware of the various options available to them for disposing their unwanted equipment, including the retailer takeback obligations at the point they purchase a new product. The current obligation is only to “make information available” on demand. That information is often only made available upon request or is “lost” on a company’s website. The information could for example be provided during a conversation at the time of sale, in the sale receipt or digital communication at the time of purchase.

- **Proposal 2.5:** to move the point of producer responsibility (via Producer Compliance Schemes) to the retailer’s store, distribution centre or bulking point.

At present, the Producer Compliance Scheme (PCS) must allow distributors to deliver WEEE into their network. However, transporting WEEE to the PCSs nominated collection point could act as a considerable disincentive for the distributor to proactively seek to drive up collections from their customers.

This proposal would remove the cost to retailers of moving the WEEE to a re-use or recycling facility and would perhaps incentivise retailers to innovate to collect more. Such an approach would align with the point at which producer responsibility starts for WEEE deposited at HWRCs. The distributor would make an arrangement with a PCS to finance the collection of WEEE from their premises in much the same way as is currently the case from local authority HWRCs. It would bring greater alignment with the interface between distributor/producer obligations in the Waste Batteries and Accumulators Regulations 2009.

Questions

28. Do you agree or disagree that internet sellers and retailers should provide a free of charge “collection on delivery service”, requiring the free takeback of large domestic appliances such as washing machines, dishwashers, fridges, freezers and TVs? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

29. If you answered agree to question 28, should there be a reasonable time frame stipulated in which the unwanted item should be collected to allow for circumstances where it is not available for collection at time of delivery? Please select one of the following options:

- a. Yes
- b. No
- c. Unsure

30. If you answered yes to question 29, what should those timeframes be?

- a. 2 days
- b. 5 days
- c. 10 days
- d. No there should not be a reasonable timeframe stipulated.

31. If you answered agree to question 28, should this service be extended to collection of smaller items when a large item is collected? If so, should this be subject to reasonable limits in terms of how many items can be returned at once? Please select one of the following options:

- a. Yes
- b. No
- c. Unsure

32. Should retailers selling new household appliances as part of a new kitchen also be obligated to take away the old appliances from the household free of charge? Please select one of the following options:

- a. Yes
- b. No
- c. Unsure

33. Please provide any evidence you have to support your answer to question 32.

ADEPT considers that Kitchen retailers should have the same obligations as other retailers selling EEE.

34. Do you agree or disagree that we should extend the existing take-back requirements for large retailers from 1:1 to a 0:1 basis ie by removing the requirement to purchase an item for the take-back obligation to apply? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

35. If you answered 'agree' to question 34, do you agree or disagree that such an obligation should be subject to reasonable limits as to the quantities of WEEE returned per householder? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

36. Do you agree or disagree that the definition of "large retailer" should be any business with an annual turnover of electrical and electronic equipment of over £100k? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

37. Please provide any evidence you have to support your answer to question 36.

It is sensible to keep the annual threshold of EEE sales of £100k, as this just builds on the existing systems that have been in place since January 2021.

38. If you answered 'disagree' to question 36, what should an alternative threshold be? Please provide evidence to support your answer.

39. Do you agree or disagree that the obligation be restricted to retailers only taking back items that are similar to those sold in their stores? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

40. Please provide any evidence you have to support your answer to question 39.

It would be simpler for the public, and would avoid unnecessary confusion, if retailers only took back items 'similar' to those they sell. Categories would have to be very clear for the public regarding this – e.g., the retailer would take any small kitchen appliances, but not garden appliances etc.

41. Do you agree or disagree that an alternative obligation to 0:1 takeback be available to internet sellers such as payment into a scheme, similar to the current distributor take-back scheme, be used to support increased levels of collections for re-use and recycling? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

42. Please provide any evidence you have to support your answer to question 41.

We agree that such a mechanism (payment into a scheme) would support increased levels of collections of WEEE.

43. Do you agree or disagree that the current information requirements should be enhanced to ensure customers are provided with information about their recycling options 'at the point of sale'? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

44. Please provide any evidence you have to support your answer to question 43.

It is key that the public/consumers have as much information as possible to enable them to 'do the right thing' with their WEEE.

45. Do you agree or disagree that the point of producer responsibility should be moved to the retailer or internet seller's premises such as the retailer's store, bulking point, distribution point? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

46. Please provide any evidence you have to support your answer to question 45.

ADEPT believes that moving the point of producer responsibility to the retailers store/internet sellers premises (which would allow for the free collections of WEEE by PCSs) would act as a significant incentive (and remove a significant disincentive of having to deliver the WEEE to often remote PCS facilities). This would encourage more WEEE to flow into the correct channels.

47. Are there any other obligations we should place on retailers and/or internet sellers to increase levels of collections?

Mandatory WEEE collection targets could be set to encourage/incentivise proper participation. If targets are not applied, some retailers/internet sellers may only comply to a bare minimum level.

48. Please provide any evidence you have to support your answer to question 47.

49. Do you agree or disagree that Online Marketplaces and/or fulfilment houses should have 'take-back' obligations where they facilitate the supply of the product to the householder? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

50. Please provide any evidence you have to support your answer to question 49.

ADEPT considers that Online Marketplaces and/or fulfilment houses should have 'take-back' obligations, and fully contribute to the WEEE system. This could be achieved by a 'reverse distribution' system, using the delivery agents delivering new internet purchased goods to take back WEEE to distribution/fulfilment centres.

51. How long will industry need to adapt to the proposals set out above? Please select one of the following options:

- a. Up to 12 months
- b. 12 to 18 months
- c. 18 to 24 months
- d. 24 to 48 months

52. Please provide any evidence you have to support your answer to question 51.

ADEPT considers that such changes should be brought in as soon as possible, in order to ensure as much WEEE as possible is captured.

3. New producer obligations for Online Marketplaces and Fulfilment Houses

Background

UK sales of electricals through Online Marketplaces generate revenue equivalent to an [18% share](#) of the entire UK eCommerce market. This can be attributed to the fact that leading distributors including retailers have expanded their internet presence in recent years as well as overseas players using the internet to access the UK market. Irrespective of whether the business has a UK presence they have a legal obligation as a producer under the WEEE Regulations to register with the relevant environment agency and join a PCS to meet their financial obligations.

Despite facilitating UK sales, Online Marketplaces and fulfilment houses presently have no obligations under the WEEE Regulations. It is the overseas seller that would be classified as both the producer and distributor and consequently have legal obligations under the regulations. Proposed changes to online distributors obligations are set out in Chapter 2. This chapter seeks to address reforms to existing producer obligations in relation to online marketplaces, fulfilment houses and their overseas sellers.

An Online Marketplace is a business using a website or mobile phone app (such as a marketplace, platform or portal) to handle the sale of goods to customers which meets all of the following conditions:

- in any way sets the terms and conditions on how goods are supplied to the customer
- is involved in any way in authorising or facilitating customers' payments; and
- is involved in any way in the ordering or delivering the goods, including but not limited to the arrangement or actual participation of either.

This definition of an Online Marketplace includes both businesses that sell goods that they own (for example, through a web-shop, an app store on mobile phones or other e-commerce portal) or is offering for sale goods owned by a third party.

A fulfilment centre is a business which stores any goods that meet all the following conditions:

- are owned by, or stored on behalf of, someone (third party) established inside or outside the UK
- offers services which are more than just storing a fully prepared product. These additional services could include but not be limited to managing orders from customers, picking and packing an order, inventory control, labelling products, arranging the transport and delivery of the product to a customer, and managing returns
- whether the goods are manufactured in the UK or were imported
- whether the goods are being offered for sale in the UK and have not been sold in the UK before.

This definition also applies if the goods are released into free circulation after being stored under a customs regime. This definition applies regardless of whether the fulfilment centre's physical location is based in the UK or not.

Case for change

The producer obligations set out in the WEEE Regulations are enforced by the environmental regulators of the four nations of the UK. Distributor obligations are regulated across the UK by the Office of Product Standards and Safety (OPSS). However, those regulators do not have any jurisdiction overseas. There is a high level of non-compliance amongst those online sellers that do not have a UK presence. They often use Online Marketplaces as the sales channel through which to place their products on the UK market. This means that UK registered producers are financing the cost of collection and proper treatment of a significant volume of EEE that is placed on the UK market by overseas sellers when it becomes waste. This creates an unlevel playing field between registered and unregistered producers. Some reports have estimated that as much as 46,000 tonnes of EEE is placed on the UK market each year by overseas sellers through Online Marketplaces and as a result the associated financial obligations for this EEE are not being met.

The [Environmental Audit Committee report](#) into WEEE and the circular economy noted this disparity and urged the government to tackle the issue.

Our proposals for new producer obligations for Online Marketplaces and fulfilment houses

The underlying principle in future will be that Online Marketplaces contribute to the financial obligations arising from EEE that is placed onto the market via their platforms. A new category of producer could be created for online marketplaces and potentially fulfilment houses. They

would be required to meet producer obligations laid down in revised regulations on behalf of sellers based outside the UK. This would include the requirement to:

- register with a PCS
- submit data in relation to total amount of electricals placed on the market by their overseas sellers
- pay registration fees to the relevant environmental regulator
- meet their financial obligations through their membership of a PCS

It may be necessary for the current charging regimes for producers and PCSs to be reviewed to recognise that a new category of producer had been created with different compliance monitoring costs incurred by the regulator for that new category. The proposal is similar to that announced in the [Government response to extending producer responsibility for packaging consultation](#). We want to explore the extent to which it might be necessary to initially allow platforms to provide estimated weight data using protocols agreed with the environmental regulators. This is because to require them to use actual data may be too onerous or burdensome and some online marketplaces may not practically be able to access data to the required granularity.

Questions

53. Do you agree or disagree that Online Marketplaces should be required to fulfil the producer obligations on behalf of their overseas sellers? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

54. Please provide any evidence you have to support your answer to question 53.

It is only fair and reasonable that all sellers of EEE contribute towards the WEEE system. This will remove the current problem of 'free-riding' and will create a fair and level playing field between all producers/retailers.

55. Do you agree or disagree that fulfilment houses should be required to meet the producer obligations on behalf of their overseas sellers? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

56. Please provide any evidence you have to support your answer to question 55.

ADEPT consider that it would be the simplest approach that fulfilment houses should be required to meet the producer obligations on behalf of their overseas sellers. There does not appear to be any realistic, workable alternatives.

57. Do you agree that Online Marketplaces/fulfilment houses should initially be able to use estimated weight data using a protocol agreed with the environmental regulators? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

58. If you answered agree to question 57, please provide evidence to explain why exact data cannot be provided.

N/A

59. What additional costs will accrue to online marketplaces and fulfilment houses as a result of becoming defined as a producer?

ADEPT has no view on this.

60. Please provide any evidence you have to support your answer to question 59.

N/A

61. What other ways, if any, should government explore to tackle the issue of non-compliance with the WEEE Regulations by online sellers?

ADEPT has no view on this.

62. Please provide any evidence you have to support your answer to question 61.

N/A

4. Dealing with the environmental impacts of vaping products

Background

Vapes, also known as e-cigarettes, have been around since the early 2000s. Vapes are substantially less harmful than smoking because they do not contain tobacco, and therefore can be an effective tool in supporting smoking cessation.

Vapes were originally designed to be reusable meaning people could invest in a vape device and then refill and recharge for repeated use, however, there has been a recent increase in the use of single use (disposable) vapes amongst both adult vapers and children. The number of children using vapes has tripled in the past 3 years, with 20.5% of children trying a vape in March or April 2023.

In October 2023, government published a UK wide consultation: [‘creating a smokefree generation and tackling youth vaping’](#) exploring a number of wider actions to tackle youth vaping, including placing restrictions on the sale and supply of disposable vapes. Stakeholders with views related to youth vaping and specifically disposable vapes are encouraged to respond to the DHSC-led consultation. This consultation however is focused on ensuring manufactures and importers of all vaping products address the environmental impacts of those products when they become waste.

Case for change

[Research from Material Focus](#) suggests that around 0.5bn vapes are sold in the UK each year with significant numbers entering the residual waste stream annually. Vapes contain plastic, lithium and other rare earth elements meaning that if these products are not disposed of and recycled properly, there is a loss of critical resources. Vapes also contain lithium-ion batteries that can pose a fire risk if the waste is not managed appropriately. Ensuring that vapes are disposed of appropriately would therefore lead to numerous benefits to the natural environment.

This consultation and accompanying call for evidence sets out various measures which should help manage the environmental impacts of vaping products. Chapters 1 and 2 of this

consultation describe proposals intended to drive increasing levels of collections of WEEE from the household through the establishment of new collection systems and enhanced distributor take back, supported by appropriate communications. This will make it easier for those who use vapes to make sure they are properly collected for recycling, whilst also ensuring more critical resources found in vaping devices can be salvaged and reducing the fire risk posed by lithium-ion batteries in residual waste.

In chapter 1 of our call for evidence we have also sought views on whether producers should finance the cost of the clean-up of commonly littered electrical items. In addition, we have also used the call for evidence to seek views on the extent to which reforms to the Waste Electrical and Electronic Equipment Regulations could be used to incentivise manufacturers to design products that last longer, are more easily repaired and easier to recycle.

We welcome your views on these measures and application to vape producers and products in the relevant sections of the consultation and call for evidence papers.

Under the current regulations, products are grouped into 14 categories. Producers of products in a particular category are obligated to finance the cost of collection, treatment, recovery and recycling of products from that category when they become waste, based on their market share and expressed in tonnes.

Vapes currently fall under category 7 covering toys and leisure equipment, meaning producers of this type of equipment will have a share of the obligation to finance the collection and treatment of these products when they become waste.

However, the cost of treating and recycling vapes as compared to other types of toys and leisure equipment is significantly higher, with industry sources quoting costs of £13k to £20k per tonne compared to £35 to £270 per tonne for other equipment falling under category 7. This leads to three key issues which must be addressed:

- PCSs and producers do not need to ensure that vapes are collected to meet their recycling targets. This is because targets can be met through financing the collection of any category 7 item
- where vapes are collected for recycling by PCSs (for example where households return used vapes to their local authority waste and recycling centre), other category 7 producers will share the significantly higher cost of treating these vapes. This unfairly increases the compliance cost to these producers
- the challenge for PCSs to fairly apportion costs of collection and treatment of vapes acts as a disincentive for them to sign up vape producers

Proposal 3.1: to create a new discrete category of equipment for vapes.

Creating a new category for vapes will ensure that vapes producers are paying the full cost of separate collection and recycling of waste vapes. It will remove the risk of other existing Category 7 producers subsidising the cost of collection and treatment of vapes. Finally, it will remove risks to PCSs of incurring costs associated with vape collection and recycling that are disproportionate to their members' market share of the vapes placed on the UK market.

Questions

63. Do you agree with the proposal to create a new category for vapes? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

64. What additional costs will accrue to producers, compliance schemes and regulators as a result of creating a new category for vapes? Please provide evidence to support your answer.

ADEPT considers that costs should rightly sit with producers and compliance schemes. Currently, the significant majority of the cost and risk of handling waste vapes (eg as litter and residual waste) sits with Local Authorities, which is clearly not in compliance with the 'polluter pays' principle or Producer Responsibility.

65. Are there any other measures, beyond those for eco-modulation and littering set out in the call for evidence, you think government should take to curb the environmental impact of vapes? Please provide evidence to support your answer.

ADEPT are supportive of a single use / disposable vapes ban due to the fact it encourages higher consumption / use of valuable resources and the significant cost burden of disposal.

ADEPT want to see EPR on a full net cost recovery basis for all vapes including compulsory in store take back (for retailers of all sizes) and funding for other disposal points – this must also cover online retailers.

5. System governance, the creation of a WEEE Scheme Administrator and performance indicators

Background

The WEEE Regulations provide for a market-based system in which producers must join a Producer Compliance Scheme which takes on the reporting and financial obligations on behalf of their producer members. Those financial obligations take the form of collection targets (expressed in tonnes) for each category of WEEE. There are currently 26 registered PCS approved by the relevant environment agency. The system ensures that the costs of collection and proper treatment arising at local authority household waste sites registered under the WEEE Regulations is financed by producers. It also provides for distributors of household equipment to return WEEE to PCSs to ensure proper treatment. Whilst this consultation sets out proposals to require producers to collect WEEE from households, it is proposed that this is in addition to these existing financial obligations.

The environmental regulators in each nation undertake regular compliance monitoring activities and have powers to undertake enforcement actions. The Secretary of State also carries out a number of functions to ensure the proper implementation of the requirements laid down by the WEEE Regulations. This includes setting household collection targets and considering a compliance fee methodology each year).

The Secretary of State must approve a PCS Balancing System (PBS) every three years. The PBS provides a guarantee to Local Authorities that producers will finance the cost of collection and proper treatment of all WEEE that arises at household waste and recycling centres even in circumstances where a local authority has been unable to secure a WEEE collection contract with a PCS. The PBS ensures that the costs of managing that WEEE are shared amongst all PCSs.

The extent to which PCSs have met their collection targets set annually on a UK wide basis is often used as a measure of success of the current system alongside the rate of WEEE collected, expressed as a percentage of that placed on the market. But neither of these measures are considered robust indicators of success, and we have set out earlier in this consultation document the intention to move to measures which drive behaviours and are monitored at minimum on a nation-by-nation basis.

Case for change

The current system of collection targets supported by a compliance fee is discussed further in the accompanying call for evidence. We are seeking further evidence and views on the extent to which this system should broadly remain unchanged or whether we move to a different approach including one where Local Authorities are matched to a PCS under a central system of allocation.

The responses to this consultation will help us to determine whether the point of producer responsibility is moved to the household and how a household collection service could be financed by producers. For retailers and internet sellers the provision for a Distributor Take-back Scheme could be retained in a revised format for small businesses and to deal with some of the challenges faced in providing take-back by online sellers. This is described in Chapter 2.

Three different organisations are currently approved to operate the Compliance Fee, Distributor Take-back Scheme and the PCS Balancing System. The administrative burden of approving and operating each of these systems could be reduced if they were brought under a single administrator. This simplification would mean that businesses seeking to use these provisions would in future deal with a single organisation rather than three. The outcome of the consultation and further policy development arising from the accompanying call for evidence is likely to identify other functions that could be undertaken by an administrator such as the necessary contractual arrangements for establishing and operating household collection services and providing centrally managed communication activities aimed at householders and business.

In packaging, because of the different nature of obligations and structure, the administration function is required to sit in the public sector. The position for WEEE is different, and government is therefore seeking your views on the principle of establishing an industry-led Scheme Administrator as an approach to scheme governance and administration, delivering key functions necessary in the reformed WEEE system.

The extent to which weight-based targets and collection volumes are a sufficient and accurate measure of the environmental performance of the system must also be considered alongside alternative measures of success.

Our proposals for creating a new Scheme Administrator and measuring performance of the future WEEE EPR scheme

One approach could be to approve an administrator jointly by the four governments. It would be responsible for managing and administering specific functions of the revised WEEE system on behalf of producers and other stakeholders. How a Scheme Administrator would fulfil its functions and deliver agreed outcomes and targets would be set out in its terms of approval. Approval criteria would be set out in regulations.

The key role of the Scheme Administrator would be to manage, on behalf of producers, the provision of household collection services across the UK working as necessary with delivery partners.

The Scheme Administrator could potentially act as a source of insight and expertise to government at both strategic and operational levels in certain key areas as well as being responsible for delivery of other key features of the revised regulations.

Government has a strong preference for this to be a sector-led organisation run by those obligated to fund and deliver the WEEE system. Such a model would be similar to that proposed to establish a Deposit Management Organisations which would administer the proposed deposit return schemes for drinks containers which are being established across the UK.

The four nations would have equitable authority in relation to the necessary approval and the governance framework for a UK-wide Scheme Administrator whilst at the same time respecting the devolved nature of this policy, nation level ministerial accountability and the different baselines, context, policies and legislative frameworks in each nation.

We are interested in views on whether a WEEE Scheme Administrator should undertake a number of key functions in relation to maintaining the proper functioning of the system beyond the delivery of household collection obligations and associated communications. Depending on the outcome of this review those could include the following:

- managing the Producer Balancing system for household WEEE (and non-household if necessary)
- administration of a Distributor Takeback Scheme (for use by those distributors who are not required under the new system to offer in store take-back)
- development and administration of a compliance fee methodology in consultation with all PCSs, for approval by government
- providing evidence and forecasts of the likely household WEEE arisings – presenting recommendations to government to inform setting annual financial obligations placed on PCSs for household WEEE collections
- eco-modulation – support government on potential new measures which could be applied to specific product categories, including development of a methodology upon which to base the modulation
- assess and report on environmental performance of the future system against key performance indicators with recommendations to government on measures to improve that performance

As discussed earlier, weight-based targets (as a percentage of tonnage placed on the market) are currently used as a measure of success. However, weight-based targets are not the best measure of performance, particularly as the weight of individual products that we buy do not necessarily correspond to those which are thrown away. A purchase will in many cases not lead to the disposal of a similar product. We therefore welcome evidence and views on what other performance indicators which could be used in the future system on which to measure success. For example:

1. Regular sampling of quantity/weight of WEEE in residual waste, potentially by type of product across the UK. Our proposed changes are intended to lead to the reduction of WEEE in residual waste and this is a key metric to measure success. Understanding the types of products in residual waste would potentially help to target interventions such as communications on behaviour change.
2. Convenience of recycling. Producing a metric that shows the average distance from households to their nearest consumer recycling point along with uptake by Local Authorities of WEEE household collection services.
3. Volume of WEEE in fly-tipped waste across the United Kingdom. Our changes are intended to increase the options and convenience for householders and businesses to use appropriate re-use, recycling and disposal routes. Therefore, levels of fly tipped WEEE should decline. Identification of types of WEEE that are fly-tipped would help to target interventions.
4. Measurement of consumer awareness and familiarity with both value and opportunities for reusing or recycling WEEE and potentially on hoarding WEEE across the UK. Making additional facilities for recycling available without understanding the level of consumer's motivation to re-use/recycle EEE would not give a full picture.
5. Regular assessment of the carbon impact of the UK WEEE system.
6. Reporting designed to measure the impacts of features of the UK WEEE system to encourage increased eco-design, re-use and business models to embrace the circular economy.
7. Reporting designed to measure improvements in the quality of WEEE treatment processes.

[Material Focus has recently published a report](#) entitled 'An evaluation of suitable metrics to measure the success of the UK's waste electricals and batteries system' which looks in more detail at alternative measures of success.

We want to measure the success of the new WEEE EPR Scheme in the four nations. We consider that whatever measures of success are adopted for the scheme, there should be a presumption in favour of incorporating drivers of parity of performance on a nation-by-nation basis (for example, where appropriate, setting nation-level targets) and ensuring that any additional metrics we use for measuring the performance of the system can be broken down on a nation-by-nation basis.

We would also welcome views on other measures of success which could be adopted to demonstrate the overall environmental performance of the system, together with the level of granularity which would be appropriate. We want to see data and reporting done on a more local level so we have a better picture of how the system is performing and can target appropriate interventions in areas where there may be low levels of performance.

Questions

66. Do you agree or disagree with the principle of establishing Government approved, producer-led Scheme Administrator to carry out specified functions in the reformed WEEE system? Please select one of the following options:
- a. Agree
 - b. Disagree

c. Unsure

67. Please provide any evidence you have to support your answer to question 66.

Whilst ADEPT considers a government approved Scheme Administrator to be a sensible way forward, such an Administrator needs to be independent and configured in a way to drive and ensure maximum WEEE recycling rather than protect the interests of Producers. It would be sensible to have a wide range of Stakeholders on the 'Board' of any Scheme Administrator, including Local Authority representation.

68. If you answered no to question 66, please set out details of an alternative approach to a Scheme Administrator.

69. Which of the following functions do you think the Scheme Administrator should carry out?

- a. managing the Producer Balancing system for household WEEE (and non-household if necessary)
- b. administration of a Distributor Takeback Scheme (for use by those distributors who are not required under the new system to offer in store take-back)
- c. development and administration of a compliance fee methodology in consultation with all PCSs, for approval by Government
- d. providing evidence and forecasts of the likely household WEEE arisings – presenting recommendations to government to inform setting annual financial obligations placed on PCSs for household WEEE collections
- e. eco-modulation – support Government on potential new measures which could be applied to specific product categories, including development of a methodology upon which to base the modulation
- f. assess and report on environmental performance of the future system against key performance indicators with recommendations to Government on measures to improve that performance

All of the above

70. Are there any additional functions the Scheme Administrator should carry out, in addition to those set out in question 69.

71. Please provide any other comments on the role of a Scheme Administrator.

Whilst ADEPT considers a government approved Scheme Administrator to be a sensible way forward, such an Administrator needs to be independent and configured in a way to drive and ensure maximum WEEE recycling rather than protect the interests of Producers. It would be sensible to have a wide range of Stakeholders on the 'Board/governing/directing body' of any Scheme Administrator, including Local Authority representation.

72. Which of the alternative performance indicators listed in the section above do you agree or disagree should be included in the future system?

- a. Quantity or weight of WEEE in residual waste.
- b. Convenience of recycling.
- c. Volume of WEEE in fly-tipped waste in each of the nations.
- d. Level of consumer awareness of value and opportunities for reusing or recycling WEEE.
- e. Regular assessment of the carbon impact the UK WEEE system.
- f. Assessment of circular economy performance of the system.

- g. Improvements in the quality of WEEE treatment processes.
- h. Amount of WEEE diverted for reuse.

ADEPT considers all of the listed performance indicators are useful, with the top 4 priorities being (a) quantity or weight of WEEE in residual waste; (b) convenience of recycling; (d) consumer awareness, and (h) amount of WEEE diverted for re-use.

73. Are there any other measures of success which government should consider to assess the performance of the system?

Given that any new Regulations are likely to drive WEEE collections directly from households, ADEPT consider it sensible to include the measure "Percentage of Households served by a kerbside/doorstep small WEEE collection service" and "Percentage of Households served by a kerbside/doorstep large WEEE collection service".

74. Should information be collected to a level to support regional or local? Please select one of the following options:

- a. Yes
- b. No
- c. Unsure

Consolidated list of questions

About you

1. What is your name?
2. What is your email address?
3. Which of the following best describes you?
 - trade body or other business representative organisation

- electronic producer
- Producer Compliance Scheme
- distributor (including online marketplace)
- waste management company
- waste operator or re-processor
- exporter
- local government
- community group
- non-governmental organisation
- charity or social enterprise
- re-use or repair operator
- consultancy
- academic or research
- individual (ie not representing an organisation)
- other
- If you answered 'Other', please provide details

4. Would you like your response to be confidential?

- a. Yes
- b. No

5. If you answered 'Yes' to question 4, please briefly explain why you require your response to be confidential.

Increasing collections of waste electrical and electronic equipment from households

6. Do you agree or disagree that producers (and distributors that do not provide their own take-back services for electric and electronic goods) should finance collections of small WEEE (for example, toasters, small toys and tools), from households? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

7. Please provide any evidence you have to support your answer to question 6.

8. Recognising the need to balance frequency of service with efficiency, what frequency should a WEEE collection round be provided? Please select one of the following options:

- a. Weekly
- b. Fortnightly
- c. Monthly
- d. On demand

9. Please provide any evidence you have to support your answer to question 8.

10. Would there be benefit in providing for different arrangements to apply in different areas according to circumstances, for example, on demand in some areas and regular collection round in others? Please provide any evidence you have to support your answer.
11. What should items qualifying for this service be defined by:
- Weight
 - Dimension
12. Please specify any products that, due to their properties, should be excluded from the small WEEE household collection service.
- Please provide evidence to support your answer
13. For any products listed in response to question 12, what measures should be put in place to drive up levels of their separate collection to minimise disposal in residual waste?
14. Do you agree or disagree that producers (and distributors that do not provide their own take-back services) should finance collection of large WEEE? Please select one of the following options:
- Agree
 - Disagree
 - Unsure
15. Please provide any evidence you have to support your answer to question 14.
16. Do you agree or disagree that a producer-led Scheme Administrator, approved by government, is best placed to determine the most practical and efficient delivery mechanism to manage producer obligations to finance small and large WEEE collections from households? Please select one of the following options:
- Agree
 - Disagree
 - Unsure
17. Please provide any evidence you have to support your answer to question 16.
18. Do you agree or disagree that the most efficient and cost-effective delivery of the obligation to provide a regular household collection service for small WEEE and bulky waste collections for large WEEE is likely to be achieved through partnerships between a Scheme Administrator and Local Authorities and their waste management partners? Please select one of the following options:
- Agree
 - Disagree
 - Unsure
19. Please provide any evidence you have to support your answer to question 18.

20. If you answered agree to question 16, what, if any, safeguards might be necessary to ensure costs incurred by producers in meeting the WEEE household collection obligation are reflective of the actual costs of delivery through their service partners?
21. Do you agree or disagree with the analysis of this proposal set out in the accompanying Impact Assessment? Please select one of the following options:
- Agree
 - Disagree.
 - Unsure
22. Please provide any evidence you have to support your answer to question 21.
23. Are there are other means of delivering a cost effective and efficient household collection service to that described in question 18, with alternative delivery partners to Local Authorities and if so, what might that look like?
24. Please provide any other comments and supporting evidence on the proposal for producers (and distributors that do not provide take-back services) to finance a system of kerbside collection of small WEEE and on-demand collections of large WEEE for households?
25. Producers who place less than 5 tonnes of equipment on the UK market each year are exempt from financial obligations under the WEEE Regulations. Does that 5-tonne threshold remain appropriate? Please select one of the following options:
- Yes
 - No
 - Unsure
26. If you answered no to question 25, what tonnage threshold is appropriate? Please provide evidence in support of an alternative threshold
27. Are there alternative, non-regulatory approaches that could be established to increase separate collection of WEEE from households for re-use and recycling? If so, please describe what this might look like.

Increasing distributor collections infrastructure

28. Do you agree or disagree that internet sellers and retailers should provide a free of charge “collection on delivery service”, requiring the free takeback of large domestic appliances such as washing machines, dishwashers, fridges, freezers and TVs? Please select one of the following options:
- Agree
 - Disagree
 - Unsure
29. If you answered agree to question 28, should there be a reasonable time frame stipulated in which the unwanted item should be collected to allow for circumstances where it is not available for collection at time of delivery? Please select one of the following options:
- Yes

- b. No.
 - c. Unsure
30. If you answered yes to question 29, what should those timeframes be?
- a. 2 days
 - b. 5 days
 - c. 10 days
 - d. No there should not be a reasonable timeframe stipulated.
31. If you answered agree to question 28, should this service be extended to collection of smaller items when a large item is collected? If so, should this be subject to reasonable limits in terms of how many items can be returned at once? Please select one of the following options:
- a. Yes
 - b. No
 - c. Unsure
32. Should retailers selling new household appliances as part of a new kitchen also be obligated to take away the old appliances from the household free of charge? Please select one of the following options:
- a. Yes
 - b. No
 - c. Unsure
33. Please provide any evidence you have to support your answer to question 32.
34. Do you agree or disagree that we should extend the existing take-back requirements for large retailers from 1:1 to a 0:1 basis ie by removing the requirement to purchase an item for the take-back obligation to apply? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
35. If you answered 'agree' to question 34, do you agree or disagree that such an obligation should be subject to reasonable limits as to the quantities of WEEE returned per householder? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
36. Do you agree or disagree that the definition of "large retailer" should be any business with an annual turnover of electrical and electronic equipment of over £100k? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
37. Please provide any evidence you have to support your answer to question 36.
38. If you answered 'disagree' to question 36, what should an alternative threshold be? Please provide evidence to support your answer.

39. Do you agree or disagree that the obligation be restricted to retailers only taking back items that are similar to those sold in their stores? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
40. Please provide any evidence you have to support your answer to question 39.
41. Do you agree or disagree that an alternative obligation to 0:1 takeback be available to internet sellers such as payment into a scheme, similar to the current distributor take-back scheme, be used to support increased levels of collections for re-use and recycling? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
42. Please provide any evidence you have to support your answer to question 41.
43. Do you agree or disagree that the current information requirements should be enhanced to ensure customers are provided with information about their recycling options 'at the point of sale'? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
44. Please provide any evidence you have to support your answer to question 43.
45. Do you agree or disagree that the point of producer responsibility should be moved to the retailer or internet seller's premises such as the retailer's store, bulking point, distribution point? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
46. Please provide any evidence you have to support your answer to question 45.
47. Are there any other obligations we should place on retailers and/or internet sellers to increase levels of collections?
48. Please provide any evidence you have to support your answer to question 47.
49. Do you agree or disagree that Online Marketplaces and/or fulfilment houses should have 'take-back' obligations where they facilitate the supply of the product to the householder? Please select one of the following options:
- a. Agree
 - b. Disagree
 - c. Unsure
50. Please provide any evidence you have to support your answer to question 49.
51. How long will industry need to adapt to the proposals set out above? Please select one of the following options:

- a. Up to 12 months
- b. 12 to 18 months
- c. 18 to 24 months
- d. 24 to 48 months

52. Please provide any evidence you have to support your answer to question 51.

New producer obligations for Online Marketplaces and Fulfilment Houses

53. Do you agree or disagree that Online Marketplaces should be required to fulfil the producer obligations on behalf of their overseas sellers? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

54. Please provide any evidence you have to support your answer to question 53.

55. Do you agree or disagree that fulfilment houses should be required to meet the producer obligations on behalf of their overseas sellers? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

56. Please provide any evidence you have to support your answer to question 55.

57. Do you agree that Online Marketplaces/fulfilment houses should initially be able to use estimated weight data using a protocol agreed with the environmental regulators? Please select one of the following options:

- a. Agree
- b. Disagree
- c. Unsure

58. If you answered agree to question 57, please provide evidence to explain why exact data cannot be provided.

59. What additional costs will accrue to online marketplaces and fulfilment houses as a result of becoming defined as a producer?

60. Please provide any evidence you have to support your answer to question 59.

61. What other ways, if any, should government explore to tackle the issue of non-compliance with the WEEE Regulations by online sellers?

62. Please provide any evidence you have to support your answer to question 61.

Dealing with the environmental impacts of vaping products

63. Do you agree with the proposal to create a new category for vapes? Please select one of the following options:
- Yes
 - No
 - Unsure
64. What additional costs will accrue to producers, compliance schemes and regulators as a result of creating a new category for vapes? Please provide evidence to support your answer.
65. Are there any other measures, beyond those for eco-modulation and littering set out in the call for evidence, you think government should take to curb the environmental impact of vapes? Please provide evidence to support your answer. .

System governance, the creation of a WEEE Scheme Administrator and performance indicators

66. Do you agree or disagree with the principle of establishing Government approved, producer-led Scheme Administrator to carry out specified functions in the reformed WEEE system? Please select one of the following options:
- Yes
 - No
 - Unsure
67. Please provide any evidence you have to support your answer to question 66.
68. If you answered no to question 66, please set out details of an alternative approach to the proposed functions of a Scheme Administrator.
69. Which of the following functions do you think the Scheme Administrator should carry out?
- managing the Producer Balancing system for household WEEE (and non-household if necessary)
 - administration of a Distributor Takeback Scheme (for use by those distributors who are not required under the new system to offer in store take-back)
 - development and administration of a compliance fee methodology in consultation with all PCSs, for approval by Government
 - providing evidence and forecasts of the likely household WEEE arisings – presenting recommendations to Government s to inform setting annual financial obligations placed on PCSs for household WEEE collections
 - eco-modulation – support Government on potential new measures which could be applied to specific product categories, including development of a methodology upon which to base the modulation
 - assess and report on environmental performance of the future system against key performance indicators with recommendations to Government on measures to improve that performance

70. Are there any additional functions that should be added?
71. Please provide any other comments on the role of a Scheme Administrator.
72. Which of the alternative performance indicators listed in the section above do you agree or disagree should be included in the future system?
- a. Quantity or weight of WEEE in residual waste.
 - b. Convenience of recycling.
 - c. Volume of WEEE in fly-tipped waste in each of the nations.
 - d. Level of consumer awareness of value and opportunities for reusing or recycling WEEE.
 - e. Regular assessment of the carbon impact the UK WEEE system.
 - f. Assessment of circular economy performance of the system.
 - g. Improvements in the quality of WEEE treatment processes.
 - h. Amount of WEEE diverted for reuse.
73. Are there any other measures of success which government should consider to assess the performance of the system?
74. Should information be collected to a level to support regional or local? Please select one of the following options:
- a. Yes
 - b. No
 - c. Unsure

Glossary

ATF

Authorised Treatment Facility

- Any waste site that has a permit or a permit exemption

AATF

Approved Authorised Treatment Facility

- An ATF with an additional approval that allows them to issue evidence of the re-use, recycling and recovery of WEEE.
- Must be permitted to accept and treat WEEE.
In Northern Ireland, this exemption is enshrined in Paragraph 49, Schedule 2, Part I of The Waste Management Licensing Regulation (Northern Ireland) 2003 (as amended)

Bring bank

Containers positioned in the community where local residents can deposit certain types of recyclable materials.

DCF

Designated Collection Facility

- A site which is approved to collect WEEE under the WEEE Regulations.
- Must comply with DCF Code of Practice

DAERA

The Department of Agriculture, Environment and Rural Affairs

- DAERA has responsibility for food, farming, environmental, fisheries, forestry and sustainability policy and the development of the rural sector in Northern Ireland
- The Department assists the sustainable development of the agri-food, environmental, fishing and forestry sectors of the Northern Ireland economy

Defra

Department for Environment, Food and Rural Affairs

- The government department responsible for safeguarding our natural environment, supporting our world-leading food and farming industry, and sustaining a thriving rural economy
 - Manages the Appointment of the Producer Balancing System
 - Manages the appointment of the operator of the Compliance Fee
- Publishes the DCF Code of Practice

Distributor

“Distributor” means any person in the supply chain who makes an item of EEE available on the market.

DTS

Distributor take-back Scheme

- An industry-led system that allows for distributors (including retailers) to fund a network of collection facilities (DCFs)
- All Local Authorities are registered as DCFs
- All distributors not registered on the DTS must offer in store take-back of household WEEE

EEE

Electrical and Electronic Equipment

- All electrical and electronic items are considered to be in scope of the Waste Electrical and Electrical Equipment Regulations (2013) unless they meet one of the exemptions as set out in regulation 7 of those Regulations

EPR

Extended Producer Responsibility

- This is a policy approach under which producers are given a significant responsibility – financial and/or physical – for the treatment or disposal of the products they place on the market when they become waste

Fulfilment house

A business which stores any goods that meet all the following conditions:

- Are owned by, or stored on behalf of, someone (third party) established inside or outside the UK.
- Offers services which are more than just storing a fully prepared product. These additional services could include but not be limited to managing orders from customers, picking and packing an order, inventory control, labelling products, arranging the transport and delivery of the product to a customer, and managing returns.
- Whether the goods are manufactured in the UK or were imported.
- Whether the goods are being offered for sale in the UK and have not been sold in the UK before.

HWRC

Household Waste and Recycling Centre

- These are provided by the Local Authority as a place where residents can safely dispose their household waste and recycling usually free of charge.

Most Local Authorities will register their HWRC as a Designated Collection Facility in order to be able to accept WEEE

Online marketplace

A business using a website or mobile phone app (such as a marketplace, platform or portal) to handle the sale of goods to customers which meets all of the following conditions:

- in any way sets the terms and conditions on how goods are supplied to the customer;
- is involved in any way in authorising or facilitating customers' payments; and
- is involved in any way in the ordering or delivering the goods, including but not limited to the arrangement or actual participation of either.

PBS

Producer Balancing System

- This has been introduced to ensure that the cost of collecting WEEE at the request of Local Authorities is shared amongst all Compliance Schemes.

- A “regulation 34 request” is a request that a Producer Compliance Scheme has to collect WEEE from a local authority site within 5 working days covering all the associated collection and treatment costs).

PCS

Producer compliance scheme

- 'A producer compliance scheme (PCS) is a membership organisation. The members are producers of electrical and electronic equipment (EEE).
 - A PCS is responsible for registering all its members every year and must:
 - ensure it meets its financial obligations under the WEEE regulations
- fulfil its data reporting obligations

WEEE

Waste Electrical and Electronic Equipment

- Waste electrical and electronic equipment (WEEE) is any electrical or electronic waste, whether whole or broken, that is destined for disposal.

WEEE Regulations

The Waste Electrical and Electronic Equipment Regulations 2013

List of evidence sources

[Waste electricals: towards a circular economy - Research & reports - Recycle Your Electricals](#)

[DSS \(2023\) 'Implementing eco-modulation into the UK's WEEE system and exploring resource efficiency and eco-design for energy-related products'](#)

[A UK WEEE matching system: a feasibility study - Recycle Your Electricals](#)

[Eunomia \(2019\) Electrical and electronic equipment: Ingredients for Successful Extended Producer Responsibility](#)

[UN Environment Programme \(2017\) 'The Long View: Exploring Product Lifetime Extension'](#)

[An assessment of the levels of persistent organic pollutants \(POPs\) in waste electronic and electrical equipment in England and Wales \(icer.org.uk\)](#)

[Material Focus \(2020\) 'Electrical Waste: Challenges and Opportunities' -](#)

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