Commission Implementing Regulation (EU) 2019/290 of 19 February 2019 establishing the format for registration and reporting of producers of electrical and electronic equipment to the register (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/290

of 19 February 2019

establishing the format for registration and reporting of producers of electrical and electronic equipment to the register

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE)[(1)], and in particular Article 16(3) thereof,

Whereas:

(1) A harmonised data structure and format for the registration and reporting of producers of electrical and electronic equipment (EEE) for all Member States will reduce the administrative burden for producers operating at Union level or at the level of several Member States.

(2) To harmonise the practices applied by the Member States for registration and reporting, the format for registration and reporting should be used by all producers, including producers supplying EEE by means of distance communication or, where appointed, by authorised representatives, and by all registers drawn up in the Member States pursuant to Article 16(1) of Directive 2012/19/EU.

(3) The format for registration and reporting should set out the key information elements to be requested pursuant to Article 16(2) and Annex X of Directive 2012/19/EU for the registration and reporting by producers or, where appointed, by authorised representatives. It should also allow for limited additional information elements to be requested by the Member State where the producer is registered and reports to. To avoid additional administrative burden, such additional information requirements should only relate to entries previously identified as such in the format itself.

(4) While Part B.5 of Annex X to Directive 2012/19/EU also requires each producer or, where appointed, each authorised representative to report on WEEE separately collected, recycled (including prepared for re-use), recovered and disposed of within the Member State or shipped within or outside the Union, the corresponding information to be reported to the Commission is collected in the Member States from different sources. In this respect, harmonisation of the reporting formats would increase the

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/290. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

administrative burden for producers, while at the same time not be necessary with regard to the objective of the current Implementing Regulation.

(5) The provisions of this Regulation should apply from a date that allows for the necessary practical arrangements to be made for registers and for the producers or their authorised representatives, and should start from the beginning of a calendar year.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and Council[(2)],

HAS ADOPTED THIS REGULATION:

Article 1

Format for registration

1 Member States shall ensure that the registers drawn up pursuant to Article 16(1) of Directive 2012/19/EU:

a use the format set out in Annex I, Part A, for the registration of producers;

b use the format set out in Annex I, Part B, for the registration of authorised representatives.

2 Member States shall require the key information elements identified as such in the formats set out in Annex I.

Member States may require additional information elements identified as such in the formats set out in Annex I.

Article 2

Format for reporting to the register of a Member State on data related to EEE placed on its market

1 Member States shall ensure that the registers drawn up pursuant to Article 16(1) of Directive 2012/19/EU use the format set out in Annex II for reporting by producers or their authorised representatives, where appointed under Article 17 of Directive 2012/19/EU, to the register on the data related to EEE placed on their markets.

2 Member States shall require the key information elements identified as such in the format set out in Annex II.

Member States may require additional information elements identified as such in the format set out in Annex II.

Article 3

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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It shall apply from 1 January 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 February 2019.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX I

Format for registration in a Member State

Key information elements are marked with ‘M’.

Filter-dependent information elements marked with ‘F’ are part of key information elements but only apply when a specific response under a previous information element is selected.

Additional information elements are marked with ‘M*’.

PART A

Format for registration of a producer

Information element	Description	Type of information element
Name of producer:	Official name of the producer linked to the national tax number or to the identification code/number provided when registering in the business register in the Member State.	
— If the producer is a legal person (company), provide the name of the company		F
— If the producer is a natural person, provide: — First name — Last name		F
Trading name of producer	Name the producer uses for advertising and sales purposes, which is different from the legal name in its articles of incorporation or other official documents.	M*
Legal address of producer:	Official address of the producer.	
— Street name		M
— Street number		M
— Postal code		M
— Location		M

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— Province		M*
— Municipality		M*
— Website address (if a website address exists)		M
Categories of annual turnover of EEE	Indication of the producer's annual turnover. Member States requesting this information element must provide different 'categories of annual turnover of EEE' so that the producer can choose the relevant category.	M*
Contact person of producer	Person associated with the producer as point of contact. It is an individual who is selected as the initial or regular contact point for that producer.	
— First name		M
— Last name		M
— Phone number	Business phone.	M
— Email address	Business email address.	M
— Address	Business address of the contact person.	
— Street name		M
— Street number		M
— Postal code		M
— Location		M
— Province		M*
— Municipality		M*
National identification code/ business registration code	For producers that are legal persons, the identification code/number provided when registering in the business register in the Member State.	F