

Criteria for shift between producer schemes

DPA-System is short for Danish Producer Responsibility System. DPA-System is in charge of administrative tasks associated with the rules on producer responsibility under Danish environmental law regarding waste from electrical and electronic equipment, end-of-life batteries and accumulators, and end-of-life vehicles.

Producer responsibility for these waste types has authority in the Danish Environmental Protection Act. This Act translates into three Statutory Orders for the different waste types: the WEEE Order, the Battery Order, and the End-of-life Vehicles Order (the current statutory texts can be found on www.dpa-system.dk).

The Danish Statutory Orders take offset in three EU directives for the same waste types: the so-called WEEE Directive, the Batteries Directive, and the ELV Directive. Also these directives with exact titles and dates can be found on www.dpa-system.dk.

Producer responsibility rests on the principle that each producer or importer assumes responsibility for collection and management of WEEE, waste batteries, and end-of-life vehicles to the effect that products becoming waste are managed in an environmentally correct manner, with the highest possible utilisation of resources contained in such products.

Producers and importers are in the following referred to as *producers* as the rules applying to both types are the same. In general, the following abbreviations are used: WEEE for waste electrical and electronic equipment, BAT for batteries and accumulators, and ELV for end-of-life vehicles.

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Collective scheme or individual complier

Producers and importers may choose to organise collectively or individually in connection with their producer responsibility. This means that some producers choose to transfer part of their tasks to a so-called collective scheme¹ such as collection of allocated WEEE from municipal recycling centres; while others choose to assume their duties individually, such as the annual reporting.

In pursuance of the rules on producer responsibility for electrical and electronic equipment (EEE) and batteries this document describes the administrative procedures used by DPA-System in case of a producer's shift of membership between producer schemes or shift to or from a status as an individual complier. Also, responsibilities of producers and schemes in relation to affiliation and discontinuation are explained. The administrative procedures are justified by the DPA-System use of those data that producers must report annually cf. the legislation.

Discontinuation

In cases where a producer wishes to discontinue membership of a scheme he or his collective scheme must carry out the change in the producer register under the item "Collective schemes". Producers not wishing to be members of a collective scheme choose the item "Individual".

Affiliation

A producer wishing to join a new collective scheme must first delete his affiliation to the existing collective scheme in the producer register, and then through the register apply for affiliation to a new collective scheme. The producer is affiliated to the scheme when the new collective scheme through its acceptance in the register has confirmed the producer's membership. Until the new collective scheme has accepted the affiliation the producer will appear in the register as an individual complier.

A collective scheme desiring to terminate a contract with a producer can in a similar manner do so in the producer register. When the affiliation is repealed the producer will appear as an individual complier in the producer register until the producer has affiliated to a new scheme, should he so wish.

Responsibility for reporting of information in the producer register

If the producer is registered as an individual complier the producer himself is responsible for reporting. If the producer is a member of a collective scheme the scheme in which the producer is a member at any given time registers the requested data in the producer register.

When a producer has made a change of his affiliation to a collective scheme it will from that date onwards only be the new collective scheme that has access to edit the producer's data in the register. If the producer is not affiliated to a collective scheme it is only the producer himself who has access to his own data in the register.

¹ See also <https://www.dpa-system.dk/en/WEEE/Producers/Producer-Compliance-Schemes/Collective-schemes>

Time of choice, withdrawal from, or change of producer scheme

In practice, a producer's status can be changed all year round with the actions described above; however, the time chosen may have different implications as described below.

Annual reporting

Reporting of data from all registered producers and importers for quantities placed on the market, collected and treated, as well as data transfers from the Danish Tax and Customs Administration (SKAT) and certain collective schemes are done in the annual reporting period.

This means that it is normally not possible to change affiliation to a collective scheme in the reporting period, which runs from 1 January to 31 March.

Allocation scheme

Especially for producers who are covered by the allocation scheme (collection of WEEE from households and portable batteries from the municipalities), a shift between different schemes has different implications depending on the time of year of the shift.

DPA-System extracts data for calculation from the register no later than 1 May every year. The producer's affiliation at the time of extraction of data decides which collective scheme is affected by the annual allocation period, published on 1 June and entering into force on 1 September.

If the producer is not affiliated to a collective scheme at the time of extraction of data the allocation is passed on to the producer himself.

This means that if a producer and a collective scheme wish that a shift takes effect on the allocation with the shortest possible latency it is recommended that the shift is made in the period after the end of the reporting period on 1 April and before extraction of data from the register on 1 May. In this case the shift will take effect on the next allocation that must be calculated before 1 June.

Responsibility for collection and treatment of products from households

If the producer in question places equipment for private households on the market the responsibility for allocated quantities will remain with the scheme in which the producer was a member at the time of allocation. Responsibility only ceases at the beginning of a new allocation period when it is transferred to the new collective scheme.

Each individual producer is responsible for obtaining all data from the producer scheme of discontinued membership, since this latter continues to collect electronics/batteries on behalf of the producer until the allocation period ceases. Data on quantities taken back and treated must subsequently be passed on to the new collective scheme in which the producer becomes a member, in order that these data can be registered for the producer.

This means that the collective scheme in which the producer has discontinued his membership must inform the producer about quantities taken back and treated on behalf of the producer in

the past calendar year. Thus, quantities must be transferred after a shift between schemes, but before calculation of the allocation.

Responsibility for financial guarantee

For producers placing electrical equipment for private households on the market the responsibility for provision of financial guarantee² will remain with the collective scheme in which the financial security was originally provided. Responsibility for provision of financial guarantee for a producer having discontinued membership of a given scheme ceases at the beginning of a new allocation period.

If a producer discontinues membership of a collective scheme to become an individual complier this producer must provide financial security immediately at the beginning of a new allocation period. The same applies in cases where a producer joins a collective scheme that cannot apply for exemption from the provision of financial guarantee.

Statement of quantities handled by collective schemes in the calculation of allocation

DPA-System will carry back quantities taken back and treated for a producer having discontinued membership to the collective scheme in which the producer was a member in the calendar year of the statement. This means that the collective scheme where the producer has discontinued his membership will be credited the quantities taken back and treated in the entire calendar year for the producer in question.

Disputes between producer and/or collective schemes

Economic disagreements between producer schemes and disputes in connection with affiliation and discontinuation of membership with collective schemes are of no concern to DPA-System.

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²The requirement for provision of security only applies to electrical products (WEEE). This statutory requirement does not apply to portable batteries. [You can read more about rules on provision of financial guarantees on the DPA-System website.](#)