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COMMENTS OF THE AIE ON THE REVIEW OF DIRECTIVE 2002/96/EC ON WASTE ELECTRICAL AND ELECTRONIC EQUIPEMENT (WEEE).

INTRODUCTION

The European Association of Electrical Contractors – AIE – comprises 21 national associations representing 175,000 electrical contractors companies, a workforce of 900,000 and a turnover of Euro 60 billion.

Electrical contractors design, install and maintain electrical systems for all kinds of industrial, commercial and domestic purposes alongside the well-known power and lighting applications. They deal with telecommunications, highway and street lighting, energy management systems, access, fire and security control equipment, lightning protection systems, advertising and identification signs and emergency power generating systems.

Hence AIE members are daily confronted with the implementation of the WEEE Directive and in the light of the review process of the Directive 2002/26/EC on WEEE, the AIE is willing to contribute and comment on the current state of play of the operation of the Directive.

Due to the summer holiday period, an in-depth consultation with our member associations was rather difficult. The AIE therefore suggests to identify some of the main problems encountered by the electrical contractors and to come back to you in more detail in certain areas.

GENERAL COMMENTS

In discussion with our members about how to handle WEEE, problems that are mentioned rather indicate interpretation problems or possibilities of improvement of collection systems.

In Norway the WEEE Directive has been implemented in national legislation, recently updated on 01.07.2006. Overall the waste collection and treatment seem to work quite well as in 2004, about 90% of all WEEE generated was collected. The collection rate has risen considerably since the first take-back companies were established in 1999. About 144.000 tonnes of waste electrical and electronic equipment is generated every year in Norway, and of this, more than 20 kg per person is collected.

More information is available on:

http://www.environment.no/templates/PageWithRightListing_2119.aspx

In Sweden, Ireland and Belgium, practical problems regarding the collection systems such as storage, transport, container fees result in an additional financial burden for SME's.

Regarding more specifically the collection of light bulbs, problems appear in a.o. France, Belgium and Germany regarding the definition and status of end-user and the fees applied for light bulbs of the professional user.

Subject to more detailed input, the main problems encountered by the electrical installers are addressing the scope of the Directive and the operation of the producer responsibility.

SPECIFIC COMMENTS

• Scope of the Directive

- In the framework of the implementation of the WEEE Directive problems of interpretation exist regarding the status of an *installer* who assembles panels (e.g. traffic control panels) using components manufactured by others and places its company details on the panel for post installation maintenance reasons (see Directive Article 3 Definitions (i) (i) and ANNEX 1B 9, Monitoring and control instruments).

In this situation it appears that the status of the installer and the interpretation of the Directive in this area are not similar throughout Europe. Indeed some Member States consider *installers* as manufacturers, or *producers* and therefore assume a recycling responsibility, others don't.

Recommendation

The Directive covers a wide variety of electrical and electronic equipment, products and appliances with the intent to give the manufacturers or producers of these products the responsibility of a proper management of their products.

An installer who assembles components yet manufactured by others has no reason to be considered as a manufacturer or producer, even if for maintenance reasons the installer places his company details on the panel next to the manufacturer's brand name.

• Producer responsibility

According to the Directive, proper management of the WEEE is a producer responsibility, in other words the responsibility of businesses that manufacture electrical and electronic equipment or import it. The costs of waste collection and treatment should therefore be covered by the importers and manufacturers of these products. In most Member States manufacturers have set up take-back companies to manage WEEE.

In practice however the implementation of the Directive has caused additional costs for the electrical contractors. They are confronted with storage and transport problems of WEEE implying inevitably unforeseen additional costs (e.g. fees for light bulb containers, collection of the WEEE depending on the amount of material, extra transport costs of the WEEE etc.)

As 95% of the electrical contractors companies are SME's, these additional costs have a proportionally huge impact on their business.

Recommendation

In the light of the producer responsibility to organise and manage the WEEE stream, installers should be recognised as a full market player in the management chain of the whole system. Indeed a lot of the WEEE material from construction sites and clients are dealt with by the installers.

Manufacturers should recognise that part of their management responsibility (collection, transport, and storage) is taking over by the electrical contractors and therefore suitable solutions and guarantees should be found together for the contractor's extra charges.

When figures appear such as 14, 5 million euros incomes with only 1, 6 million expenses (annual report of LightRec in Belgium), the question rises why installers could not have a financial compensation for their additional costs.

As mentioned previously, the AIE would be pleased to contribute to the research studies, workshops and debates organised by the European Commission to give a more in-depth contribution to the consultation.

Brussels, 10 August 2006.