

Amendments to the ElektroG enter into force on 15 Aug

Summary
of changes.
Are you
affected?

From this date, the **‘open scope’** applies from the German Electrical and Electronic Equipment Act (ElektroG). At the same time, changes affect the **equipment categories** and **types** into which all equipment must be classified before putting them on the market.

For you as a producer, the amendments may require you to take action in relation to the following aspects:

Registration(s):

Registration is used to ensure producers fulfil their product responsibilities in relation to electrical and electronic equipment, and, in particular, their obligations for the recovery and disposal according to ElektroG.

Registration is always based on equipment type. Since each equipment type previously had to be assigned to one category, the pending change to the categories also requires an adjustment to the equipment types. This may affect your registration:

a) Existing registration:

If you already have a registration, it will automatically be transferred to the new equipment type(s) by stiftung ear (the National Register for Waste Electric Equipment) on 26 October 2018. This will be done free of charge and without a new registration notice. Not all transfers will be straightforward, and you as the producer are responsible for checking and correcting any errors.

Even before the automatic transfer of your registration, you must check whether you may need further or replacement registration (subject to a fee) after the transfer. The corresponding application must be submitted between 15 August 2018 and 15 November 2018.

The National Register for Waste Electric Equipment grants a transition period until 31 December 2018 to all producers who apply for further/replacement registration in due time. During the transition period, producers may continue to place their equipment on the market under the transferred registration. To make use of the transition period, 01 January 2019 must be specified as the desired date in the application. The registration requirements must also be observed (guarantee certificate, see below). If the application is submitted too late, the incorrectly assigned equipment may not be sold.

b) New registration required:

If you have not been subject to the ElektroG to date because your equipment was not subject to registration, you can submit a registration application from 1 May 2018 (requires payment of a fee). This registration will be granted only once ‘open scope’ enters into force on 15 Aug 2018.

Guarantee certificate:

Guarantees accepted for previous equipment types are valid for the successor equipment types after 15 Aug 2018. If multiple equipment types apply for your equipment, you must verify that the guarantee is adequate. If the certified amount has already been exhausted, a certificate for another guarantee in the new equipment type must be provided for the calendar year 2018 that covers the surplus amount required. If you are registering equipment for the first time for 15 Aug 2018 or later, you must provide the guarantee certificate for the new equipment type then valid – assuming you cannot reuse an existing guarantee certification for a previous equipment type.

Quantity notifications:

As a rule, the format for a quantity notification is always based on the registrations in existence at the time of the quantity notification. The monthly actual input notification for the notification months of August and September will therefore depend on whether you applied for a new registration for 15 August 2018 or whether your existing registration will not be transferred to the new equipment types until 26 October 2018. The annual statistics notification for 2018, which is submitted in 2019, must utilise the new categories.

A summary of key dates for your business:

01 May 2018	Option to apply for a registration for the new equipment types (effective from 15 Aug 2018)
15 Aug. 2018	<ul style="list-style-type: none">• Granting of registrations for the new equipment types• Transfer of registration applications to the new equipment types• Start of notification period for changes needed to automatically transferred registrations
26 Oct. 2018	Automatic transfer of existing registrations to the new equipment types
15 Nov. 2018	Expiry of notification period for changes needed to automatically transferred registrations
01 Dec. 2018	<ul style="list-style-type: none">• Change of collection group names• Pick-up coordination starts for the new collection groups

This and further information on the pending changes is provided by the National Register for Waste Electric Equipment website at www.stiftung-ear.de/elektrog-2018/.

We will be happy to help you complete any action you need to take!

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