



WEEE LABEX

Frequently asked questions concerning
WEEE LABEX and the WEEE LABEX
organisation

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Introduction

Who is the WEEE Forum?

The WEEE Forum (www.weee-forum.org) is a European non-profit association speaking for 39 electrical and electronic equipment waste (WEEE) compliance schemes, all of them run on behalf of producers. It was set up in the early 2000s. The 39 non-profit organisations are based in Austria, Belgium, Czech Republic, Denmark, Estonia, Italy, Germany, Greece, France, Hungary, Ireland, Lithuania, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. It is the biggest organisation of its kind in the world. In 2012, its member organisations reported collection and proper de-pollution and recycling of 1.9 million tonnes of WEEE.

The WEEE Forum's mission is to provide WEEE systems a platform for co-operation as well as a set of standards and benchmarking tools, which in turn assists them in the optimisation of their operations and in a continuous search for excellence and improvement in environmental performance. 'WEEELABEX' is the WEEE Forum's most important standardisation project, both in terms of financial resources and scope.

Based on the growing body of know-how, the WEEE Forum also seeks to be a centre of competence that allows member organisations to make constructive contributions to the general debate on electrical and electronic waste policy matters. The association assists its members in the development of their activities in a sustainable manner within the existing regulatory and legislative framework.

Who are the members of the WEEE Forum?

Members in 2013: Amb3E, Appliances Recycling, Asekol, Asekol SK, EÅF, Eco-asimelec, Ecodom, Ecolec, Ecologic, Ecoped, ecoR'it, Eco-systèmes, Ecotic, Eco Tic, EEPA, EES-Ringlus, ElektroEko, Elektrownia, El-Kretsen, elretur, el retur, Envidom, Fotokiklosi, Lightcycle, Lumicom, RAEcycle, Recicla Canaria, Recupel, ReMedia, Repic, Retela, RoRec, SENS, SLRS, SWICO, UFH, Wecycle, WEEE Ireland and Zeos.

Governance and architecture of WEEELABEX CV

What has the WEEELABEX project achieved?

WEEELABEX is a project run by the WEEE Forum in co-operation with stakeholders from the producers' and WEEE processing community. The project (2009-2012) was co-financed by the European Community (LIFE07 ENV/B/000041).

The WEEELABEX project aimed to design, on the one hand, a set of European standards (or 'normative requirements') with respect to the collection, sorting, storage, transportation, preparation for re-use, treatment, recycling and disposal of all kinds of WEEE, and, on the other hand, a set of rules and procedures that will guarantee harmonised conformity verification. The standards and the WEEELABEX conformity verification organisation will level the playing field by making environmental performance more transparent. The prospective new business will stimulate operators to meet high standards, while fraudulent companies will find it harder to dodge 'the system'.

This year and next, the European standards organisations will translate the WEEELABEX requirements into formal EN standards that confer a set of rules for all operators on the market to comply with WEEE legislation.

The WEEELABEX standards are the first comprehensive and coherent set of requirements on operations from collection to disposal of WEEE. As such, they have started to inspire standard-makers in other parts of the world. See www.weee-forum.org/weeelabexproject for a copy of the standards ('normative requirements') concerning collection, logistics and treatment of WEEE, which the General Assembly of the WEEE Forum adopted in Amsterdam on 1 April 2011.

All WEEE systems in the WEEE Forum will apply the normative requirements by 31 December 2013 or 31 December 2014 (new member states).

In addition, a conformity verification (CV) architecture was established and rules of governance laid down in terms of organisation and management of CV.

The framework for the governance and architecture of the new organisation was adopted in 2012. See http://www.weee-forum.org/system/files/various/weeelabex_conformity_verification_governance_v7.0_final_2012_09_20.pdf for a copy of that framework agreement.

This Communication zooms in on the most frequently asked questions concerning the constitution of the WEEELABEX organisation.

The WEEELABEX organisation

What is the mission of the WEEELABEX organisation?

The WEEELABEX organisation is a stand-alone legal entity, headquartered in Prague, that will manage training of auditors, monitor auditing activities and approve (list) 'WEEELABEX operators'. It is an international non-profit organisation – or, under Czech law, 'association of legal entities with international membership' – of which the WEEELABEX systems (WEEE producer compliance schemes) are the members. Auditing activities result in the attestation that processes (of suppliers) are conformant with the WEEELABEX standards or equivalent requirements.

The treatment operators who have undergone successful WEEELABEX CV for the process or processes performed at their facility are referred to as 'WEEELABEX operators'. Only those processes (and WEEELABEX operators), which have been confirmed as compliant to the CV procedures, will be acknowledged and listed on the WEEELABEX website.

WEEELABEX CV is conducted by auditors who have successfully undergone WEEELABEX training, who provide proof of continued development notably through attendance at subsequent training sessions, and who use WEEELABEX audit processes and reporting tools and provide fully documented and objective evidence that the audited processes can conform to all WEEELABEX requirements.

What is the return on investment for membership?

Membership to the WEEELABEX organisation will provide assurance of sound and efficient operator audit process under WEEE II, and therefore it will create a better commercial position and unequivocal benchmarks. It will also lead to lower costs due to the shared costs of mutually recognised audits and due to the access to the database of summary audit reports of all WEEELABEX operators.

Where and when will the WEEELABEX organisation be set up?

All WEEE systems, which can be both collective and individual, both for-profit and not-for-profit, that express a commitment to join the WEEELABEX organisation before 1 April 2013 will compose the constitutive General Assembly of the WEEELABEX organisation, which is scheduled for 17 April 2013 in Prague.

As of today, 30 WEEE systems have expressed an interest in being a Founding Member, including one non-WEEE Forum member.

Who is eligible as Founding Members (and Full Members) of the organisation?

Founding Members are WEEE producer compliance schemes that express a commitment to join the new organisation before 1 April 2013.

To be eligible, the application to become Full Member must come from (individual or collective) WEEE producer compliance schemes located in the European Economic Area or Switzerland, that are contracted by producers to undertake producer obligations related to WEEE legislation.

The GA will elect the members in the WEEELABEX Governing Council. It is proposed that candidates for the position of member of WGC lodge their application with the Secretary General of the WEEE Forum before 1 April 2013.

It is also proposed that Founding Members can choose to pay in total €7.500 as entry fee for the whole five-year period 2013-17. Non-Founding Members that choose to join after 1 April 2013 will be expected to pay €2.000 annually.

Apart from these two tangible benefits, i.e. application for a position in the WGC and the opportunity to pay €7.500, the other benefit is that Founding Members can profile themselves as the 'fathers' of the new organisation, the mission of which is to become a centre of excellence in the area of auditors training. See Article 6 of the Articles of Association concerning Full and Associate Members.

How will the WEEELABEX Governing Council be constituted?

Founding Members can propose candidates for the position of member of WGC. The term of the WGC is three years.

It has been proposed to limit the number of seats in the WGC to 7, but it bestows the General Assembly to deviate from that proposition. The draft Acts of Association speak of 5-15.

What obligations will Members incur?

The main obligation for Members and Associated Members is to respect the rules and procedures embedded in the Articles of Association and Internal Rules and to subscribe to the framework communication 'Architecture and governance of WEEELABEX Conformity Verification' (see http://www.weee-forum.org/system/files/various/weeelabex_conformity_verification_governance_v7.0_final_2012_09_20.pdf), including the ambition to implement the WEEELABEX standards (or its equivalent EN version).

Can Members continue to collaborate with their certification outfits?

Yes, Members can choose to continue working with audit outfits or certification companies with whom they have fruitfully collaborated in the past, provided their auditors have successfully been trained under the WEEELABEX Office training programme. All WEEE systems are required to work with qualified – and in time fully independent – WEEELABEX auditors.

What is the basic structure of the WEEELABEX organisation?

The organigramme of the organisation as well as how it relates to the WEEE Forum and CENELEC, an EU standards panel, is visualised on the following slides.



What are the other basic rules of membership?

Upon receiving your expression of interest, we will send you a copy of the (draft) Articles of Association and Internal Rules, which contain a full overview of the rights and obligations associated with membership of the WEEELABEX organisation.

Will WEEE Forum members be treated differently from other systems?

The WEEE producer compliance schemes of the WEEE Forum have all been invited to apply for membership. 29 of them have already formally expressed an interest and will be among the Founding Members.

However, within the WEEELABEX organisation, no distinction will be made between members and non-members of the WEEE Forum. Each member will be subject to the same set of rights and obligations as laid down in the Articles of Association.

What will be the institutional links between the WEEE Forum and the WEEELABEX organisation?

There will be no formal, institutionalised link between the WEEE Forum and the WEEELABEX organisation. Of course, the WEEE Forum will continue to debate WEEE treatment issues, and we will install a Technical Committee, open to parties that have a stake in good-quality operations, to analyse anonymous data arising from batches and sampling, but the new organisation will be an independent organisation managing its own affairs.

What is the transition period between declaration of membership and full compliance with the WEEELABEX requirements (or equivalent EN standards)?

All members of the WEEELABEX organisation will be expected to have turned the WEEELABEX normative requirements (or the functionally equivalent EN standard) into their contracts with obligated parties. The deadline for transposition is 31 December 2013 for the compliance schemes operating in Western Europe, and 31 December 2014

for those in Central and Eastern Europe (the so-called 'new member states') (see http://www.weee-forum.org/system/files/various/weeelabex_conformity_verification_governance_v7.0_final_2012_09_20.pdf) for further information.

Can an application for membership be declined?

A producer compliance scheme that wishes to become a Full Member submits its application to the WEEELABEX Office (c/o Managing Director), substantiating compliance with the conditions set out in article 6.1 of the Articles of Association. A copy of the Articles of Association and Internal Rules must be joined with the application. The Managing Director will verify the fulfilment of those conditions after which he/she submits the application to the WEEELABEX Governing Council, or the Project Steering Group, its predecessor, which decides whether or not the applicant is admitted as Full Member.

In case an application to become a Full Member is rejected by the Governing Council, the candidate Full Member is entitled to request a re-examination of its application within thirty days after written notification of the decision. The re-examination shall be performed by an ad hoc appellate body composed of three representatives, each representing a WEEE system that became Full Member before 1 July 2013 and that is not, at the time of the re-examination, represented in the WGC. The representatives concerned are selected by the General Assembly, upon proposal of the Governing Council. The candidate Full Member shall submit its application to the appellate body within three months after their selection. The appellate body shall re-examine the application by the candidate Full Member and communicate its decision within a period of sixty days after the introduction of the said application. The decision by the appellate body is definitive.

What is the added value of a WEEELABEX organisation, considering that the private WEEELABEX requirements will anyhow be translated into EN standards?

EN standards are applicable to all actors that fall under their scope. An actor may choose to implement the requirements of an EN standard while remaining outside the WEEELABEX remit.

The core business of the WEEELABEX Office will be to train auditors, on the payroll of certification companies or self-employed (or experts in WEEELABEX systems during the transition period), to become WEEELABEX auditors who use a set of tools and procedures to conduct WEEELABEX audits and deliver Conformity Verification. WEEELABEX systems agree to only contract with treatment facilities whose process has been audited by a trained and approved WEEELABEX auditor, thus conferring trust in WEEELABEX audits. WEEELABEX will be a brand for compliance schemes and processors, collection facilities and hauliers.

Will the more ambitious standards not translate into higher recycling costs?

It is recognised that ensuring quality is uppermost in producers' objectives, and that some processes will inevitably see higher costs where new processes or plant and technology is required. However, greater quality of process is also likely to result in higher material values as better markets become available and higher quality criteria from recyclers and end-users is met.

Wish to join the new organisation? Please get in touch with Pascal Leroy, Secretary General of the WEEE Forum: pascal.leroy@weee-forum.org.