Charging Consultation Response for charges for operators of schemes covered by the Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 (and amendments)

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# Objective

This document summarises the responses SEPA received on the proposed charges for operators of schemes covered by the Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 (and amendments) which will apply from 1st October 2019 onwards for the compliance periods beginning 2020; identifying key points and then outlining how SEPA intend taking these forward and why.

# Background

## Why did SEPA Consult

The Waste Electrical and Electronic Equipment (Amendment) (No. 2) Regulations 2018 (SI 2018 No 1214) brought in changes to the scheme and included transistional charging arrangements. These transistional arrangements last until the end of 2019 and therefore SEPA needed to consult on the SEPA charging scheme which would apply from 2020 on.

## How Did We Consult?

This consultation was targeted at WEEE scheme operators who are approved and registered with SEPA in Scotland so that they can pass the consultation onto their members.

As outlined this has been part of a process of informing and working with the industry to ensure relevant parties understand the changes. To be clear the changes in the regulations, including the transistional charging arrangements, have been consulted on with industry as part of DEFRA and EA consultations and SEPA is only consolidating this change.

## Overview of the Responses to the Consultation

We had 2 responses, the responses were supportive of the specifics we were consulting on and made some comments on future changes.

# Consultation Responses and SEPA's Proposals

The following tables summarises the responses for each question and SEPA proposals (if applicable). Whilst the number of responses appears low we believe this reflects the open engagement that has taken place both on the regulations last year and between SEPA and industry.

With the overall comments being supportive we intend to amend the SEPA WEEE charging scheme with all the changes outlined in the consultation.

**Table 1: consultation responses to question 1: Do you have any comments on the proposed changes for operators and scheme members when their principal place of business is outside of Scotland, Wales or Northern Ireland?**

|  |  |
| --- | --- |
| **Summarised responses** | **Comments** |
| Support the proposal if the charges for scheme members is based on the registered address or principle place of business for Scotland, Northern Ireland and Wales, and for England in England and anyother non-UK location). | The proposal is as outlined. |
| Across the whole UK there should be a unified scheme to ensure a level playing field. We would welcome a unified approach across all agencies. | We appreciate that this would be desirable. However each agency is required to cover their costs appropriately and the proposed changes are intending to do this. |

**Table 2: Consultation responses to question 2:** **We have not increased our WEEE for several years, we expect that we will have to increase in the next few years to keep in line with inflation, do you have any comments on this?**

|  |  |
| --- | --- |
| **Summarised responses** | **Comments** |
| Any increases need to be clearly stated and communicated so that issues of what figure applies when and how figures maybe rounded. | We would intend to clearly highlight any changes and they would be posted on the website as well as being part of any invoice. |
| Applying such an increase may not reflect the costs of administrating and regulating industry covered by the WEEE Regulations and does not therefore seem appropriate.  On a wider point, we believe that RPI is not the Government’s preferred index and that CPI is now more appropriate and widely established. | SEPA is required to cover its costs by the Scottish Public Finance Manual. We would only increase our charges if we believe our costs have, or are predicted to, rise and the increase would only be up to RPI.  This means that charges, without changing the scheme and therefore consulting, may rise between 0% and RPI in any given year. Historically, where we have the provision to increase by RPI, SEPA has on average had below RPI increases and each scheme is assessed separately based on their particular costs.  We intend to include this RPI provision since it reflects the requirements placed on us to recover our costs. |

**Table 3:Additional comments – these were all about the draft legal scheme?**

|  |  |
| --- | --- |
| **Summarised responses** | **Comments** |
| The wording around section 6 of the charging scheme about the revocation of the previous scheme needs to be carefully reviewed. | We welcome the comments. It is our intention to go fully through the draft legal scheme before finalising it. We will specifically ask those finalising the scheme to look at the areas highlighted. |
| It needs to be clear when the charges should apply.  Comment about section 6 of the scheme when the charges apply.  A reference needs checked. |

# List of Respondents

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| REPSCOT Limited  Valpak Limited |