

ORDER No. 1223 of 29th November 2005

regarding the registration procedure of producers and the data recording and reporting procedure of data regarding EEE and WEEE

Upon the provisions of art. 7 paragraph (3) and art.12 paragraph (1) of Governmental Decision No. 448/2005 on management of WEEE, based on the GD No. 408/2004 on the organization and functioning of the Ministry of Environment and Water Management, with subsequent changes and completions and GD No. 738/2003 on the organization and functioning of the Ministry of Economy and Trade with subsequent changes,

the minister of environment and water management and the ministry of economy and trade issue the following order :

CHAPTER I. Producers registration

Art. 1. (1) Upon the art.12 paragraph (1) of GD 448/2005 on WEEE, the producers are obliged to register themselves at the National Environmental Protection Agency, until 30th of April 2006.

(2) After 30th of April 2006 the following shall register:

- the producers new entered on the market;

- the existing producers which put on the market EEE until 30th of April 2006, upon the application of the provisions mentioned at art. 13 paragraph (1), letter e) of the GD no. 448/2005.

(3) The registration is done based on the following documents:

a) the application filled in as per the template enclosed in Annex no. 1;

b) general information filled in according to the template enclosed in Annex no. 2;

c) the proof document of guarantee disposal as per art.8 paragraph (3) of the GD 448/2005, which is compulsory from the date of the first renewel of the registration for the producers registering in 2006, respectively at the registration for the producers registering after 1st January 2007;

d) incorporation certificate at the National Office of Trade Register (true and correct copy);

e) certificate of findings issued by the National Office of Trade Register (true and correct copy).

Art. 2. The documents necessary for enrolling into the register could be submitted in person at the National Environmental Protection Agency or sent by post mail.

Art.3. (1) The registration number shall be delivered within 15 working days from the submitting of the documentation file, in accordance with Annex 3.

(2) The registration remains valid for 3 years.

(3) The renewing application for registration should be submitted 2 months before the expiry date by using the application template as presented in Annex no. 1,

adjusted accordingly and based on the general information, as per the template presented in Annex no. 2 accompanied by the proof document for the guarantee disposal.

Art. 4. The registration number should be communicated to the retailer networks in accordance with art.12 paragraph (2) of the GD 448/2005 on WEEE, within maximum 30 calendar days from the date it was granted.

Art. 5. The producers waiving to put on the market the EEE are obliged to notify it to NEPA within 30 calendar days since the end of their activity so that to be erased from the register.

CHAPTER II. Data recording and reporting

Art.6. In order to draw up the data base as provided at art. 16 paragraph (10), the producers are obliged to report to NEPA, on an yearly basis, the following information:

- a. Data on quantities of EEE put on the market, in accordance with the Annex 4.1;
- b. Quantities, number and categories of WEEE which have been collected by all means and reused, recycled and recovered, in accordance with Annex 4.2 a, 4.2 b and 4.2 c;
- c. Weight and number of WEEE collected and exported, in accordance with Annex 4.2 d.

Art.7. (1) The reporting data as provided by art. 6 should be sent on hard copy and on electronic format to the NEPA at the latest on 30 April, for the previous year.

(2) The first report should be done until 30 April 2007.

Art.8. The producers having working points in different counties or having more locations within the same county should report only once the detailed situation on working points, in accordance with art. 6.

Art.9. (1) The licensed collective organizations should send, on hard copy and electronic format, to the NEPA the data related to the EEE and WEEE for the economic agents members for which they took over the responsibility, at the latest on 30 April, for the previous year, in accordance with the annexes as provided by art. 6.

(2) The first report should be submitted during the next year after registration.

Art.10. (1) The producers which transferred the responsibility regarding the annual objectives of collection, recovery and recycling of WEEE, in accordance with the provisions of art. 7 paragraph (4) of the GD nr. 448/2005, have the obligation to report to the NEPA the identification data of the licensed collective organization to which they concluded the contract for taking over of the responsibility, at the latest on 15 January of each year.

(2) The producers mentioned at paragraph (1) are obliged to assure that the collective organization to which they concluded the contract for taking over of responsibility is fulfilling its reporting obligations.

Art.11. (1) The local authorities of public administration and the economic operators administrating the WEEE collection points are obliged to report to the territorial authority for environmental protection within the respective county where each working point is located, until 30 April of each year, the information in accordance with Annex 5.

(2) The economic operators dealing with the treatment, recycling or recovery of WEEE are obliged to report to the territorial authority for environmental protection within the respective county is located the working point, by 30 April of each year, the information in accordance with Annex 6.

(3) The territorial authorities of environmental protection are obliged to transfer the centralised data to the NEPA at latest on 30 May of each year.

Art.12. The producers or the licensed collective organizations are obliged to keep a register special organized in accordance with art. 7 paragraph (3) of the GD no. 448/2005, a register which should include the same data provided by the tables in the Annexes no. 4.1, 4.2a, 4.2b, 4.2c, 5 and 6.

Art. 13. The responsibility for the accuracy of the reported data, as well as the obligation to submit proof documents in support of this one, is on the account of the legal entity responsible as per the provisions of art. 7 paragraph (4) of the GD no. 448/2005.

Art.14. The information provided in Annexes no. 5 and 6 are corresponding to the previous calendar year to the reporting year.

Art.15. The denomination of the categories of equipment used to fill in the tables in annexes at the order hereof have the same meaning as in Annex 1B of the GD 448/2005.

Art.16. (1) The reports shall constitute into a national database organized at the level of NEPA.

(2) The synthesis of information on EEE and WEEE at national level shall be displayed on the webpage of the central authority for environmental protection, in order to provide the public access to this information.

Art. 17. NEPA will enforce the provisions of the order hereof.

Art.18. The Annexes 1through 6 are part of the order hereof.

Art.19. The present order shall be published in the Official Journal of Romania, Part I.

*Minister of Environment and Water Management,
Constantin Popescu*

*Minister of Economy and Commerce,
Ioan Codrut Seres*

APPLICATION
for obtaining the record number related to putting on the market of EEE

LOGO Applicant
Nr. /

We, the undersigned,, having the registered office in, str. nr., bl., ap., county/sector, incorporated at the Trade Register Office under the No., registration unique code no. /, bank account no., opened at, branch, phone, fax, e-mail, duly represented by, having the position of, applies for a record number allowing the putting on the market of EEE.

Please find enclosed the necessary documents as mentioned at art. 1, chapter I of the order of the minister of environment and water management and minister of economy and commerce no. 1223/2005, regarding the registration procedure of producers and the data recording and reporting procedure of data regarding EEE and WEEE. We state on our own responsibility, in accordance with the penal law, that the submitted documents are a true and correct copy of the originals.

Date
Duly representative,
.....
(signature & SEAL)

General information estimated for the registration year

Company:

Categories of EEE manufactured in the year*	Quantity	
	Tones	Number
Total		

* Code of categories of equipment, as per Annex 1B of the GD 448/2005 should be mentioned.

- Which are the final users of your products? (households, private companies or others)

- Are your products delivered directly or by means of retailers?
- Do you intend to affiliate to a collective organization or to act as an individual in order to fulfill the obligations provided by the GD 448/2005 and the order hereby?
- In case you affiliate to a collective organization, please mention the name and the contact data of that organization.
- How do you intend to meet the targets provided by the GD 448/2005 on WEEE?
- How do you intend to comply with the obligations in terms of WEEE separate collection from households?
- How do you intend to comply with the obligations in terms of WEEE separate collection from legal entities?
- How do you intend to provide the transport and treatment when about WEEE resulted from households or other sources?
- How do you intend to meet the treatment obligations in accordance with the best techniques?
- What are the proposed measures for the financial scheme of WEEE management put on the market after 1st of January 2007?
- What are the proposed measures for the financial scheme of WEEE management put on the market before 1st of January 2007. Please mention the market share. Do you intend to use a visible fee (the fee provided by art. 8 paragraph (6) of the GD 448/2005)?
- What are the proposed measures to fulfill the guarantee obligation?
- What are the proposed measures to fulfill the obligation of providing data on new equipment put on the market?
- What are the proposed measure to assure the accuracy of the reported data?
- What are the proposed measures to assure that the collective organization carries out its tasks?

Annex 3

Registration form into the register of putting on the market of EEE

Upon the Governmental Decision on the reorganization and functioning of the National Agency for Environmental Protection no. 459/2005 and the GD no. 448/2005 on the WEEE management,
Further to the reviewing and checking of the documentation,

THE RECORD NUMBER.....

Is conferred upon

.....
in (city), sector/district str. nr.,
in order to be allowed to put on the market the EEE

The record number is valid starting from until

President of NEPA
Signature & SEAL,
.....

Annex 4.1

Name of the company:
City:
Address:
Tel/Fax/E-mail
CAEN Code of the main activity:
Average number of employees:
C.U.I.
Contact person:

1. Equipment put on the market during the year.....

Categories *	Equipment produced in country		Imported equipment	
	Tons	Number	Tons	Number
Total				

* Code of categories of equipment, as per Annex 1B of the GD 448/2005 should be mentioned.

Annex 4.2.a

Wastes collected from households during the year

Categories *	At collection points		By retailers		By other means	
	Tons	Number	Tons	Number	Tons	Number
Total						

* Code of categories of equipment, as per Annex 1B of the GD 448/2005 should be mentioned

Annex 4.2.b

Wastes collected from other sources than households during the year

Categories*	At collection points		By retailers		By other means	
	Tons	Number	Tons	Tons	Number	Tons
Total						

* Code of categories of equipment, as per Annex 1B of the GD 448/2005 should be mentioned

Annex 4.2.c

For the objectives of recovery, recycling and reusing during the year

Categories *	Recovery		Recycling		Reusing the equipment as a whole
	Tons	Percentage	Tons	Percentage	Tons
Total					

* Code of categories of equipment, as per Annex 1B of the GD 448/2005 should be mentioned

Annex 4.2.d

Quantity of collected and exported WEEE during the year

Categories (the 10 categories*)	Put on the market	Collected from households	Collected from other sources than households	Total collected WEEE	Treated in country	Treated in other Member States	Treated outside EU
	Tons	Tons	Tons	Tons	Tons	Tons	Tons
Total							

* Code of categories of equipment, as per Annex 1B of the GD 448/2005 should be mentioned

Date: Name, Surname: Position:	Signature and stamp:
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Annex 5

Reporting form for the administrators of the collection points

Name of the company / working point:

City:

Address:

Tel/Fax/E-mail:

CAEN Code of the main activity:

Average number of employees:

C.U.I.

Contact person:

Category*	Collected WEEE		Destination **
	Tons	Number	
Total			

* Code of categories of equipment, as per Annex 1B of the GD 448/2005.

** In case for the same WEEE category there are many destinations, the corresponding data should be written on separate rows

Date: Name, Surname: Position:	Signature and stamp:
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Annex 6

Reporting form for the economic operators dealing with the WEEE treatment, recycling or recovery

Name of the company / working point:

City:

Address:

Tel/Fax/E-mail:

CAEN Code of the main activity:

Average number of employees:

C.U.I.

Contact person:

Categories (the 10 categories*)	Taken over (incoming) wastes, out of which:		Recoverable wastes after treatment (on type of materials and substances)	Non-recoverable wastes for final disposal	Wastes treated in country	Wastes exported to be treated in other member states	Wastes treated outside EU
	Tons	Number					
Total							

* Code of categories of equipment, as per Annex 1B of the GD 448/2005.

Date: Name, Surname: Position:	Signature and stamp:
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Published in the Official Journal no. 1 of 3rd January 2006