



## WEEE/ROHS summary of penalties

### ● Hungary

1. HUF 350,000, if the producer fails to comply with the quantity of waste to be collected.
2. HUF 25,000, if the producer fails to comply with its take-back obligation or the distributor fails to comply with its receiving obligation.
3. HUF 300,000, if the producer fails to comply with its recovery and/or disposal requirement or if it exceeds the hazardous materials limit in any given EE equipment.
4. HUF 200,000, if the producer fails to comply with its registration and/or data disclosure requirements.

### ● Spain

1. Under WEEE regulation, administrative and criminal will be imposed.
2. The disqualification of a person from carrying out waste management activities for up to ten years; the temporary or definitive closing of the whole or part of waste management facilities or factories; and the withdrawal or the suspension of authorizations for up to ten years.
3. Fines will up to EUR 1,202,000 for serious infringements.

### ● Netherlands

1. Scope for enforcement exists under both administrative and criminal law.
2. Fines maybe imposed if a business does not comply with the regulations.

### ● Poland

Infringements of the Polish RoHS and WEEE legislation are subject to fines and criminal penalties.

### ● Ireland

The maximum penalties under the Waste Management Acts are a fine not exceeding EUR 15,000,000, or imprisonment for a term not exceeding 10 years, or both, for failure to comply with the regulations.

### ● Greece

1. Failure to comply with Greek WEEE & RoHS Regulations will result in three different set of penalties: criminal, civil and administrative.
2. Criminal penalties: Imprisonment of up to three years and/or a fine ranging from EUR 300 to 3,000. If the relevant violations were not intentional: imprisonment of up to one years and/or a fine ranging from EUR 450 to 900.
3. Civil penalties: Every person responsible will have to pay the relevant compensation unless he can prove that the damage was attributable to an intentional act of a third party.
4. Administrative penalties  
By the head of the relevant Prefecture: Fine ranging from EUR 300 to 3,000.  
By the Minister of the Environment, Physical Planning and Public Works: Fine ranging from EUR 3,000 to 150,000.

### ● Portugal

1. Penalties for violating the Portuguese WEEE and RoHS legislation include fines ranging from EUR 250 to 3,700 for individuals and EUR 500 to 44,800 for legal entities respectively.
2. Individuals might be subject to a fine if they do not return WEEE to a collection centre.



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### ● Cyprus

1. Failure to comply with RoHS and WEEE regulation will be imposed up to 3 years and/or a fine of up to EUR 35,000.
2. IF there is a danger of or actual damage to the environment, Cypriot Courts may order appropriate interim measures.

### ● Denmark

1. Failure to comply with RoHS will result in the removal of products from the market place.
2. If producers have failed to provide for the take-back or treatment obligations, fines will be imposed.
3. Companies or other legal people may hold criminally liable.
4. Under both the RoHS and WEEE legislations, fines or a prisons sentence of up to 2 years.
5. No maximum fine.

### ● Finland

1. Under WEEE regulation, the producer's activities are suspended or prohibited.
2. Criminal sanctions (fines) are applicable to intentional or grossly negligent infringements.
3. If the infringement is of a serious nature (likely to cause deterioration/harm to the environment or human health) a prison sentence may be imposed.

### ● Sweden

1. Individuals who infringe the Swedish RoHS legislation can be liable to a fine or a term of imprisonment not exceeding 2 years.
2. For serious offences the penalty shall be a term of imprisonment of not less than six months or more than 6 years.
3. Under the Swedish WEEE legislation, a fine may be imposed on any person who fails to fulfill obligations (including failure to ensure that EEE is marked and failure to supply required data).
4. When setting a fine for both WEEE and RoHS infringements the level of the fine depends on the nature of the infringement, the means of the infringing person and how serious it is. (unit fines range from a minimum of 30 x SEK 30 to a maximum of 150 x SEK 1,000)
5. Under the WEEE legislation, it is possible to impose an environmental fine on undertakings e.g. where an undertaking sells products without informing the Swedish EPA. (from SEK 5,000 to 100,000)
6. Does not provide the EPA with information regarding how the products are dealt with (SEK 20,000).
7. Higher fines may be invoked where the breach of the relevant provisions is deemed sufficiently serious or in light of aggravating circumstances.

### ● Austria

1. Non-compliance with RoHS, fines ranging between EUR 360 and 7,270.
2. Fails to comply with WEEE legislation, fines ranging between EUR 360 and 7,270.
3. If the perpetrator is professionally active in the area of waste management, minimum fine is EUR 1,800.
4. Infringements of obligations to keep records provide relevant information or register pursuant to WEEE regulation, a maximum administrative fine is EUR 2,910.
5. Higher fines may be imposed, if the breach of WEEE regulation is deemed sufficiently serious.

### ● Germany

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1. Failure to comply with RoHS
2. Failure to comply with registration
3. Not stating the registration number in business transactions
4. Failure to comply with registration or whose registration is withdrawn from placing WWW on the market
5. Indicating disposal costs
6. Failing to remove a liquid or by failing to comply with related requirements
7. By not displaying records, displaying incorrect or incomplete records or failing to display them in a timely manner
8. By failing to collect containers provided or by failing to collect them in a timely manner.
9. Failing to submit a report, by submitting an incorrect or incomplete report, or by failing to report in a timely manner

1~5、 7 : Maximum fine is EUR 50,000

6、 8、 9 Maximum fine is EUR 10,000

### ● France

The Decree also provides for penalties in case producers or distributors do not comply with the obligations which are imposed by the Decree. The penalties vary depending on the type of breach.

### ● Italy

1. Distributors who do not provide a guarantee that the EEE can be returned to them free of charge may be subject to fines of up to EUR 400 (per unit of EEE).
2. Producers who do not make arrangements for adequate separate professional WEEE collection systems, treatment, recovery, and financing procedures, may be subject to fines of up to EUR 100,000.
3. Producers who do not provide a financial guarantee by 13 August 2005 may be subject to fines of up to EUR 1,000 (per unit of EEE put on the market).
4. Producers who do not include in the user instructions of EEE the information provided for in the Italian legislation may be subject to fines of up to EUR 5,000.
5. Producers who do not make available to reuse centers, treatment and recycling facilities, in the form of manuals or by means of electronic media, the information provided for by the Italian legislation may be subject to fines of up to EUR 30,000.
6. Producers who, after 13 August 2005, put on the market EEE without the indication and the mark provided for by the Italian legislation, may be subject to fines of up to EUR 1,000 (per EEE).
7. Producers who put on the market EEE before they register with the Chambers of Commerce may be subjected to fines of up to EUR 100,000.
8. After the full implementation of the Directive, producers who do not notify the information provided for by the Italian legislation to the national Register of persons in charge of the management of WEEE may be subject to fines of up to EUR 20,000.

### ● Czech Republic



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1. Failure to fulfill the duties relating to the management of selected products or wastes or equipment pursuant to WEEE and RoHS can attract a fine of up to CZK 10,000,000.
2. Breach of other duties can attract a fine of up to CZK 1,000,000.
3. Higher fines may be invoked where the breach of the relevant provisions is deemed sufficiently serious or in light of aggravating circumstances.

### ● Slovenia

1. For the Slovenian RoHS legislation, fines range from approximately EUR 2,000 ~ 83,000.
2. Failure to comply with WEEE Directive, a possible ban on putting EEE on the market.
3. No fines are specified under WEEE legislation.

### ● Slovakia

1. The Slovak RoHS and WEEE legislation provides for penalties of up to 5,000,000 SKK.
2. Higher fines may be invoked where the breach of the relevant provisions is deemed sufficiently serious or in light of aggravating circumstances.

### ● Lithuania

1. Ministry officials are not yet able to specify the applicable penalties for non-compliance with the RoHS regulations.
2. The penalties under the Lithuanian WEEE legislation are also to be decided, as the draft Amendment to the Administrative Code is currently before Parliament and changes are expected.
3. For information purposes, the anticipated fine will be EUR 300 to 29,000 for breaches of the legislation, including failure to register, failure to comply with reporting requirements and failure to provide treatment for WEEE.

### Reference

1. Hungary, Spain, Poland and the Netherlands <http://www.tdctrade.com/alert/eu0601d.htm>
2. Ireland, Greece, Portugal and Cyprus <http://www.tdctrade.com/alert/eu0602d.htm>
3. Denmark, Finland, Sweden and Austria <http://www.tdctrade.com/alert/eu0603d.htm>
4. Czech Republic, Slovenia, Slovakia, Lithuania <http://www.tdctrade.com/alert/eu0604e.htm>
5. France and Italy <http://www.tdctrade.com/alert/eu0525b.htm>

### Note

1. 1 EUR= 251.2 HUF
2. 1 EUR= 9.34 SEK
3. 1 EUR= 28.5 CZK
4. 1 EUR= 37.3 SKK