

NOTIFICATION

from the Waste Department at the Ministry of the Environment on whether or not specific products fulfil the definition of electrical equipment as per section 3, letter c) and section 2, subsection 3 of Act no. 542/2020 Coll. on end-of-life products

The Waste Department has updated its notification of 1 June 2019 (ref. no. MZP/2019/720/168), which defined specific products as electrical equipment in compliance with the existing legislation, in association with the new Act no. 542/2020 Coll. on end-of-life products (hereafter simply referred to as the “Products Act”) that has come into effect.

The definition of the electrical appliances and any appropriate exemptions contained in the Products Act are identical to those of the formerly valid Act no. 185/2001 Coll. At the same time, however, the group of products that is subject to producers’ obligations under the so-called principle of extended producer responsibility was also fundamentally expanded as of 15 August 2018 in association with a change defined by European legislation. The expiry of Act no. 185/2001 Coll. and the entry of the Products Act into effect on 1 January 2021 has therefore brought no changes to this area (in the sense of the scope of the definitions and the affects of the law as it applies to electrical appliances).

The obligations defined under Chapter Seven of the Products Act apply to all products with the nature of electrical appliances that comply with the definition stated in section 3, letter c) of the Products Act, with the exception of those cases stated in section 2, subsection 3 or section 8, subsection 2 of the Products Act.

Given the fact that it may be problematic to practically determine whether or not the given legal framework applies to a specific product, the Waste Department at the Ministry of the Environment has issued this notification in order to ensure that a uniform approach is adopted on the part of the producers of electrical appliances in line with the provisions of section 3, subsection 1, letter m) of the Products Act. The subject of this notification involves information as to whether specific products with the nature of electrical appliances fulfil the aforementioned definition of the Products Act or whether or not these products should be considered electrical appliances in line with the Products Act. If the given products are considered to be electrical appliances, their producers will especially be subject to the obligations set out in sections 58 - 74 of the Products Act. Of the responsibilities defined in the other sections of the Act, the obligations set out in sections 13, 15 or 19, for example, are also of importance in relation to producers.

**Selected types of electrical appliances and their classifications
according to the Products Act**

	Type of electrical appliance	The producer's obligations apply as per the Products Act		Note
		YES	NO	
1.	Active heat recovery units.	X		
2.	Storage heaters	X		
3.	Cartridges, toner cartridges	X		Only cartridges containing electronic parts
4.	Electronic detectors, sensors	X		
5.	Drive units for electric gates, shutters	X		And all similar equipment
6.	Electric and electronic parts without any independent functions designed for assembly into a finished product (i.e., circuit boards, electronic parts such as condensers, transistors and so on)		X	
7.	Electrical and electronic parts that can function independently and can be sold separately (for example, electric motors, drivers that are installed in light fixtures, starters and so on)	X		In the case of electrical and electronic parts that can function independently, the recycling contribution is primarily paid for parts sold for independent use or as replacement parts. The recycling contribution is not paid for parts that serve as supplies for the production of final products. In such a case, the contribution is paid for the final product and not for its individual components. In order to increase the legal certainty, it is recommended that the component supplier and the final product manufacturer should conclude a contract stating that this involves the supply of components for production which is not subject to the payment of the recycling contribution. This does not involve LED strips (see line 29), as they are always considered to be light sources and the recycling contribution is always paid for them.
8.	Electric water filters	X		
9.	Electric water heaters	X		And all similar equipment
10.	Electric boilers	X		
11.	Electric means of transport		X	Exempt as per section 8, subsection 2
12.	Electric longboards and unicycles	X		Not a means of transport
13.	Electric bicycles, electric footbikes, Segway transporters	X		If no approval has been issued in line with Regulation of the European Parliament and Council (EU) no. 168/2013 in combination with Act no. 56/2001 Coll.

	Type of electrical appliance	The producer's obligations apply as per the Products Act		Note
		YES	NO	
14.	Electric pallet jacks		X	Exempt as per section 3, subsection 3, letter f)
15.	Electric fences	X		
16.	Electric pumps	X		
17.	Electrical installation material (active): for example, circuit breakers, distribution boards, dimmers, contactors, relays	X		And all similar equipment
18.	Electrical installation material (passive): simple switches, toggle switches, plugs, unfinished cables		X	And all similar equipment
19.	Electricity meters	X		
20.	Electronic flushing equipment (toilets, urinals, bidets)	X		
21.	Electronic waste from the production of electrical appliances (defective batches, scrap and so on)		X	The electrical equipment has not been brought to market
22.	Electronic water meters and calorimeters	X		And all similar equipment, including equipment with remote reading
23.	5.22 Electric and electronic toys	X		
24.	Cards with an active chip (for example, identification, access, payment or telephone cards)	X		And all similar equipment
25.	Air conditioning units integrated into a structure	X		
26.	Mobile air conditioning units	X		
27.	Boilers, driers and heaters using gas, liquid or solid fuel, if they contain electrical or electronic functions	X		Effective as of 1. 2,020
28.	Electric insect traps	X		
29.	LED strips and candles, solar garden lights	X		LED strips are considered to be light sources. If the recycling contribution is charged per unit, it is recommended to designate 1 metre of LED strip as a unit in order to harmonise the conditions for all manufacturers in the market, i.e., 1 unit = 1 metre of LED strip
30.	Powered track mouldings (conducting electricity), including the feed connector	X		If the moulding brings electricity to power a light source
31.	Track mouldings without power		X	If the moulding does not supply electricity (for example, an aluminium or plastic profile)
32.	Furniture with electrical and electronic components	X		Only electrical and electronic components, the law only applies to the entire product if these components cannot be disassembled from it
33.	Power supply units	X		If they are brought to market separately

	Type of electrical appliance	The producer's obligations apply as per the Products Act		Note
		YES	NO	
34.	Clothing and footwear with electronic components (for example, light, acoustic or heating functions)	X		
35.	Extension and connection cables, including IT cables	X		Provided they are finished at both ends
36.	Industrial printers	X		
37.	Filament bulbs, including halogen bulbs, automobile bulbs or infra-red bulbs	X		
38.	Indoor heating panels	X		
39.	Shower units, baths with electrical components	X		And all similar sanitary ware containing electric or electronic parts
40.	Striagraphs	X		
41.	Household light fixtures	X		
42.	Taps – with sensors	X		
43.	Electric adjustable beds	X		

This notification replaces the notification dated 23 February 2021 (ref. no. MZP/2021/720/816).

Compiled by: The Waste Department at the Ministry of the Environment

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