

# OBLIGATIONS OF LAST SELLERS

According to Act No. 542/2020 Coll., on End-of-Life Products (Section 3, subsection 2f.), the **last seller** is an entity that, regardless of the method of sale, including the use of remote means of communication, delivers the following to the end-user in the territory of the Czech Republic during the course of its business:

1. Selected products,
2. Vehicles, EEE, tyres or other products incorporating or accompanied by batteries or accumulators, or
3. Vehicles or other functional units of which tyres are a part or accessory.

## Information on the take-back of EEE for consumers

### Section 66 Obligations of last sellers

(1) The last seller of EEE shall enable the final consumer, upon purchasing EEE, to hand over for take-back any WEEE at the point of sale or the delivery of new EEE in the same quantity as the purchased EEE of similar type and use.

(2) The last seller of EEE intended for household use shall also ensure that the end-user has the opportunity to hand over for take-back, free of charge, WEEE from households with no exterior dimensions exceeding 25 cm, regardless of the brand and without being bound to the purchase of goods, at the point of sale of new EEE or in its immediate vicinity throughout its opening hours, if the size of the sales area intended for the sale of EEE is at least 400 m<sup>2</sup>.

(3) The last seller of EEE shall inform the end-user in writing of the take-back options under subsections 1 and 2. If WEEE is taken back at the point of sale of new EEE or in its immediate vicinity, the last seller is obliged to mark these places visibly and legibly with information stating that WEEE can be handed over.

(4) The last seller of EEE intended for household use for which the manufacturer has not set up a public take-back point and which is not obliged to ensure the take-back of WEEE under subsections 1 and 2 is obliged to mark its point of sale visibly and legibly with information stating that WEEE from households can be handed over for take-back in the territory of the municipality, city district or borough according to the point of sale. If there is no take-back point in the given area, the last seller must provide information about the location of the take-back point in the nearest municipality, city district or borough to the point of sale.

(5) The last seller is obliged to hand over the WEEE to the take-back system or to a WEEE processor without undue delay.

## Specimen information letter for customers from 1 January 2022

## Information on the take-back of EEE for consumers

**The last seller of EEE has mainly the following basic obligations according to Act No. 542/2020 Coll. Section 66:**

### Ensuring the take-back of EEE

#### 1) At the point of sale “piece for piece”

Section 66 (1) of the on End-of-Life Products introduces another major obligation, according to which the last seller shall allow **the end-user, upon purchasing an electrical appliance, to hand over for take-back any waste electrical appliance at the point of sale or delivery of a new electrical appliance in the same quantity as the purchased electrical appliance of a similar type and use (so-called “piece for piece” scheme) free of charge.** This obligation is already enshrined in the existing legislation and **also applies to**

online sellers of electrical appliances who, upon delivery of an electrical appliance, are obliged to take back any electrical appliance of similar type and use completely free of charge, including the collection of any waste electrical appliance. Under the new legislation, this obligation also applies to final sellers of electrical appliances for non-household use who previously were not obliged to do so. So far, collection of such electrical appliances has been carried out in a separate mode of collection (virtually in waste collection mode) which is cancelled by the new Act.

## 2) At the point of sale “with no obligation to purchase goods”

This only applies to stores with an “Electrical sales area of at least 400 m<sup>2</sup> or more”. These sellers **must allow** end-users to **hand in used EEE from households, with no external dimensions exceeding 25 cm, free of charge during their operating hours, regardless of the brand and without being tied to the purchase of goods.**

## 3) Information obligation

(unless points 1 and 2 apply)

The last seller of electrical appliances for household use for which no public take-back point has been set up also has **the obligation to display visible and legible information at their point of sale stating where waste electrical appliances can be handed over free of charge** within the municipality, city district or borough according to the point of sale. This obligation primarily arises from Section 18 (3) of the new Act, according to which the last seller who in any manner, including using remote means of communication, sells such products, **is obliged to inform the end-user in writing on the method used to take back end-of-life products.** This obligation primarily arises from Section 18 (3) of the new Act, according to which the last seller who in any manner, including using remote means of communication, sells such products, **is obliged to inform the end-user in writing on the method used to take back end-of-life products. The information must also be prominently and legibly displayed at the point of sale.** The final seller can fulfil this obligation by referring the final user to a public take-back point registered in the ASEKOL a.s. collection network.

**The extension of the obligation to state the recycling contribution separately when selling the product and on sales receipts is defined by Act No. 542/2020 Coll. Section 73:**

### Separate disclosure of costs:

If you are a distributor, i.e. you do not place new EEE on the Czech market because you purchase it from its manufacturer or an entity who has already placed it on the Czech market, you “take over” the amount of recycling contribution stated by that entity.

#### 1) Simplified tax document to the end-user:

In end sales to consumers in shops or by remote access **the amount of the contribution must always be stated separately in sales receipts.** In the tax document for the customer, the final seller shall state the total price of the electrical appliance including the recycling contribution, as well as the exact amount of the recycling contribution included in the price of the electrical appliance.

#### 2) Price tags in e-shops, brick-and-mortar shops:

**Price tags in shops and on the internet must always visibly include the amount of the contribution in the total price.** The customer is only informed on the amount of the recycling contribution which is included in the total price.