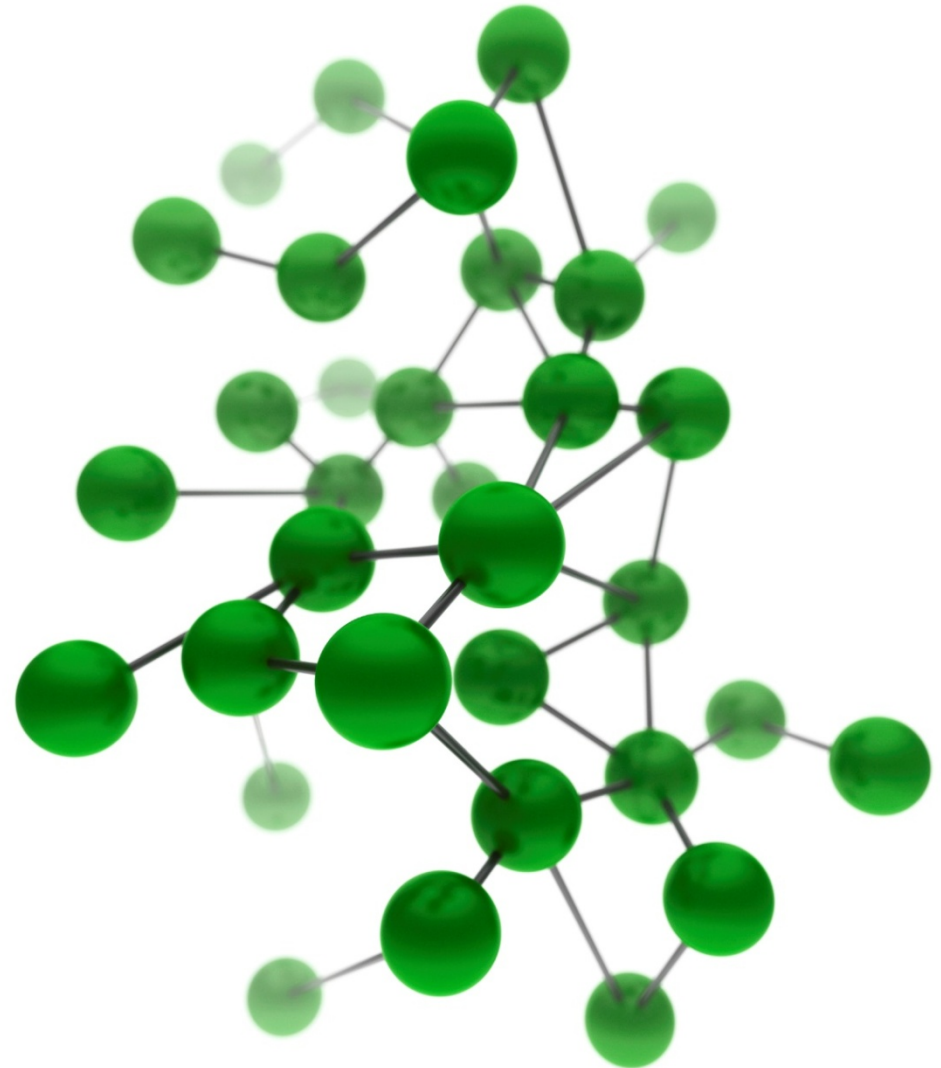


K&L Compliance Communications GmbH
Your Legal Monitoring Service Provider

Legal Monitoring Batteries in the Czech Republic

Status 2010-03-29



Management Summary

Customer Setup in Country	<p><i>Specific Distribution Channel</i></p> <ul style="list-style-type: none"> • <i>Importer / Producer / Distant Seller</i> • <i>Local Subsidiary / Branch</i> • <i>Sales Activities</i> • <i>...</i>
Key Compliance Requirements / Legal Obligations	<p><i>Customer Obligations regarding...</i></p> <ul style="list-style-type: none"> • <i>Technical product requirements</i> • <i>Product take-back / Recycling</i> • <i>Hazardous substance restrictions</i> • <i>Environmental Fees and / or Taxes</i> • <i>...</i>
Implementation Timeline / Important Deadlines	<ul style="list-style-type: none"> • <i>Adoption / last update of legislation</i> • <i>Entry into force of legislation</i> • <i>Start dates of relevant obligations</i>
Significant Differences to corresponding EU-Legislation	<p><i>Compared to Directive 20XX/XX/EC, the respective legislation differs regarding...</i></p> <ul style="list-style-type: none"> • <i>...</i>
Outlook and Recommendations	<p><i>With regard to current debate / future developments, ...</i></p>

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4. Specific Industry Obligations

Question	Relevant Information	Comments and Attachments
<p>What product-related obligations arise for products in scope?</p>	<p>Product-related obligations regarding batteries consist of:</p> <ul style="list-style-type: none"> • registration • reporting / information obligations towards end users • product labeling • financing obligations and • product guarantee 	
<p>What waste-related obligations arise?</p>	<p>Waste-related obligations concerning used batteries consist of:</p> <ul style="list-style-type: none"> • collection and recovery and • final removal of waste batteries from the market 	

Question	Relevant Information		Comments and Attachments												
1. Registration procedure	<table border="1"> <thead> <tr> <th data-bbox="506 347 1059 416">Question</th> <th data-bbox="1064 347 1805 416">Details</th> </tr> </thead> <tbody> <tr> <td data-bbox="506 419 1059 517">Is registration required?</td> <td data-bbox="1064 419 1805 517">Yes, registration is necessary. Requirements are based on harmonized EU-standards.</td> </tr> <tr> <td data-bbox="506 520 1059 617">What products must be registered?</td> <td data-bbox="1064 520 1805 617">All batteries and accumulators under the definitions outlined in section 3.</td> </tr> <tr> <td data-bbox="506 620 1059 750">When do registration obligations start?</td> <td data-bbox="1064 620 1805 750">Existing producers had to register until 19 December 2009. New producers have to register 60 days after the production or import of batteries.</td> </tr> <tr> <td data-bbox="506 753 1059 842">Which body is responsible for registration?</td> <td data-bbox="1064 753 1805 842">The Ministry of Environment of the Czech Republic.</td> </tr> <tr> <td data-bbox="506 845 1059 935">How often must registration be renewed?</td> <td data-bbox="1064 845 1805 935">No renewal of the registration is required.</td> </tr> </tbody> </table>		Question	Details	Is registration required?	Yes, registration is necessary. Requirements are based on harmonized EU-standards.	What products must be registered?	All batteries and accumulators under the definitions outlined in section 3 .	When do registration obligations start?	Existing producers had to register until 19 December 2009. New producers have to register 60 days after the production or import of batteries.	Which body is responsible for registration?	The Ministry of Environment of the Czech Republic.	How often must registration be renewed?	No renewal of the registration is required.	
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Is registration required?	Yes, registration is necessary. Requirements are based on harmonized EU-standards.														
What products must be registered?	All batteries and accumulators under the definitions outlined in section 3 .														
When do registration obligations start?	Existing producers had to register until 19 December 2009. New producers have to register 60 days after the production or import of batteries.														
Which body is responsible for registration?	The Ministry of Environment of the Czech Republic.														
How often must registration be renewed?	No renewal of the registration is required.														
What information must be provided for registration?	<p>Concerning physical persons</p> <ul style="list-style-type: none"> • First name(s) and family name(s), or business name, • permanent residential address, • Identification number (if issued), • copy of entrepreneurial license or statement of the trade register (not older than three months) • category of batteries put on the market 		Compliance schemes can handle the registration on behalf of their clients / members. See section 3 (delegation of responsibilities) and section 6 (contacts).												

Question	Relevant Information	Comments and Attachments
	<ul style="list-style-type: none"> • battery trade mark(s) per category • description of compliance fulfillment as specified in Part 3, Section 31k of Waste Act 185/2001 sb • description of the provision of a take-back scheme, separated collection, treatment, recycling, material reuse and end user information on proper used battery handling <p>Concerning legal persons / entities</p> <ul style="list-style-type: none"> • Commercial name and address • legal company form • Identification number • statement of the trade register (not older than three months) • category of batteries put on the market • battery trade mark(s) per category • description of compliance fulfillment as specified in Part 3, Section 31k of Waste Act 185/2001 sb • description of the provision of a take-back scheme, separated collection, treatment, recycling, material reuse and end user information on proper used battery handling 	
<p>What registration fees apply?</p>	<p>There are no registration fees.</p>	

Question	Relevant Information		Comments and Attachments
2. Are there reporting requirements?	Question	Details	
	Who has reporting obligations?	Producers / importers as outlined in section 3 have obligations; however, they can delegate these to compliance schemes (see section 3 and below).	
	Who are the addressees of reports?	<ul style="list-style-type: none"> • The Ministry of the Environment • Take-back consortia / compliance schemes • End users 	
	When do reporting obligations start?	Reporting obligations are scheduled to start in march 2011; however, details have not been specified yet (as of today). Currently, the Ministry of Environment is drafting a separate decree to specify the reporting process.	
	What is the frequency of reporting?	The current plan for reporting envisages annual reports to the Ministry of Environment and quarterly reports to take-back consortia / compliance schemes.	
	Product mapping / what needs to be reported?	<p>Currently, only information about the three main categories (portable, industrial and automotive batteries) has to be reported.</p> <p>Generally, reporting shall be separate for batteries incorporated in electrical and electronic equipment (EEE) and batteries enclosed to EEE (separate batteries).</p>	

Question	Relevant Information		Comments and Attachments
		<p>Details concerning reports to the Ministry of Environment still have to be specified (see above).</p> <p>Reports addressing take-back consortia shall include the volumes of batteries put on the market per category. As an example, see the sample attached to the right.</p>	 Sample Report to Compliance Scheme
Is the publication of information required?		Producers / importers have information requirements towards end users as specified in Part 3, Section 31d of Waste Act 185/2001 sb. These correspond to the obligations of directive 2006/66/EC. See section 5 for further information.	The obligation is the same as in directive 2006/66/EC.
Are there audit requirements?		<p>Audit requirements are not specified by the Waste Act 185/2001 coll.</p> <p>If a producer complies by joining a compliance scheme, the compliance scheme associations specify their own audit requirements, plans and auditors.</p>	
Other reporting obligations?		All reporting obligations outlined above fully apply to distant sellers according to the "battery producer" definition: Part 3, Section 31, Letters i of Waste Act 185/2001 sb. referring to an obligatory "producer" as "any person [...] irrespective of the selling technique used, including by means of distance communication as defined in Directive 97/7/EC".	

... labeling, collection and treatment, financing...

5. Main Differences to EU Legislation

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SAMPLE