

Criteria for exemption from requirement for auditors' attestation

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With the amended WEEE Order there are new rules regarding when to submit a management's statement and/or auditors' attestation in connection with reporting of quantities placed on the market.

The amendment has expanded the requirement to also cover producers and importers of electrical and electronic equipment for use in businesses. Thus, the duty to submit a management's statement and/or auditors' attestation covers all producers and importers subject to producer responsibility for electrical equipment regardless of end-user segment. This is seen in the main rule of section 13(1) to the WEEE Order stipulating that all producers and importers of electrical and electronic equipment (EEE) must authenticate their reports of quantities placed on the market.

Furthermore, the amendment of the Order means that only producers/importers with a certain volume are subject to the requirement for submission of an auditors' attestation. Thus, businesses may be exempt from the requirement for submission of auditors' attestation if they comply with the following criteria.

Exemption from the duty to submit an auditors' attestation can be granted if:

1. The business has an annual turnover on the Danish market not exceeding DKK 1 million excl. VAT in electrical equipment subject to producer responsibility **OR**
2. It complies with two of the following three criteria in the last two calendar years:
 - A balance sheet total not exceeding DKK 4 million.
 - A net turnover not exceeding DKK 8 million excl. VAT.
 - An average number of full-time staff during the financial year not exceeding 12.

Businesses having been granted exemption from the requirement for submission of an auditors' attestation must submit a management's statement authenticating the reported quantities placed on the market.