

**WEEE2 guidance document:
Non-road mobile machinery (“NRMM”)**



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Content

1	Objective	2
2	Definition of NRMM subject to WEEE2	2
3	Interpretation of the NRMM prerequisites.....	3
4	Decision Tree	4
5	European WEEE Registers Network (EWRN).....	4

1 Objective

The European Commission previously published a FAQ document¹ to interpret the prerequisites of the exclusion “non-road mobile machinery” (“NRMM”). Unfortunately, this interpretation did not remove the possible misunderstandings in this area. Therefore, this document provides guidance and clarification for the interpretation of this exclusion for the Directive 2012/19/EU (WEEE2).

2 Definition of NRMM subject to WEEE2

Under the WEEE2 directive ‘non-road mobile machinery’ (“NRMM”) is defined as

“machinery made available exclusively for professional use, with on-board power source, the operation of which requires either mobility or continuous or semi-continuous movement between a succession of fixed working locations while working”²

This definition consists of three specific prerequisites. In detail:

- (i) Non-road mobile machinery;**
- (ii) With on-board power source;**
- (iii) Its operation requires either mobility or continuous or semi-continuous movement between a succession of fixed working locations while working;**
- (iv) A machinery made available exclusively for professional use.**

All four prerequisites must be met for the exclusion to apply.

¹ <http://ec.europa.eu/environment/waste/weee/pdf/faq.pdf> concerning Directive 2012/19/EU

² Article 2 (4) (e), Article 3 (1) (d) WEEE2

3 Interpretation of the NRMM prerequisites

The interpretation of the above quoted prerequisites follows the Commission’s FAQs subject to WEEE2. EWRN provides further interpretation where the Commission’s interpretation does not lead to a clear conclusion. In detail

Ad (i). “Non-road mobile machinery” means that the machine is designed to operate or to be controlled off the road. The machinery itself requires mobility of its own, e.g., by using wheels.³

Ad (ii). “On board power source” means that the machine depends on a battery/accumulator/engine as power source to be capable of moving. The machine must be able to operate cordless, without a connection to the grid.⁴

Ad (iii). “Its operation requires either mobility or continuous or semi-continuous movement between a succession of fixed working locations while working” means that the machine requires mobility in order to work properly or to perform the functions for which it was designed⁵.

Ad (iv). “Made available exclusively for professional use” means that the machine shall be exclusively⁶ used by users other than private households.

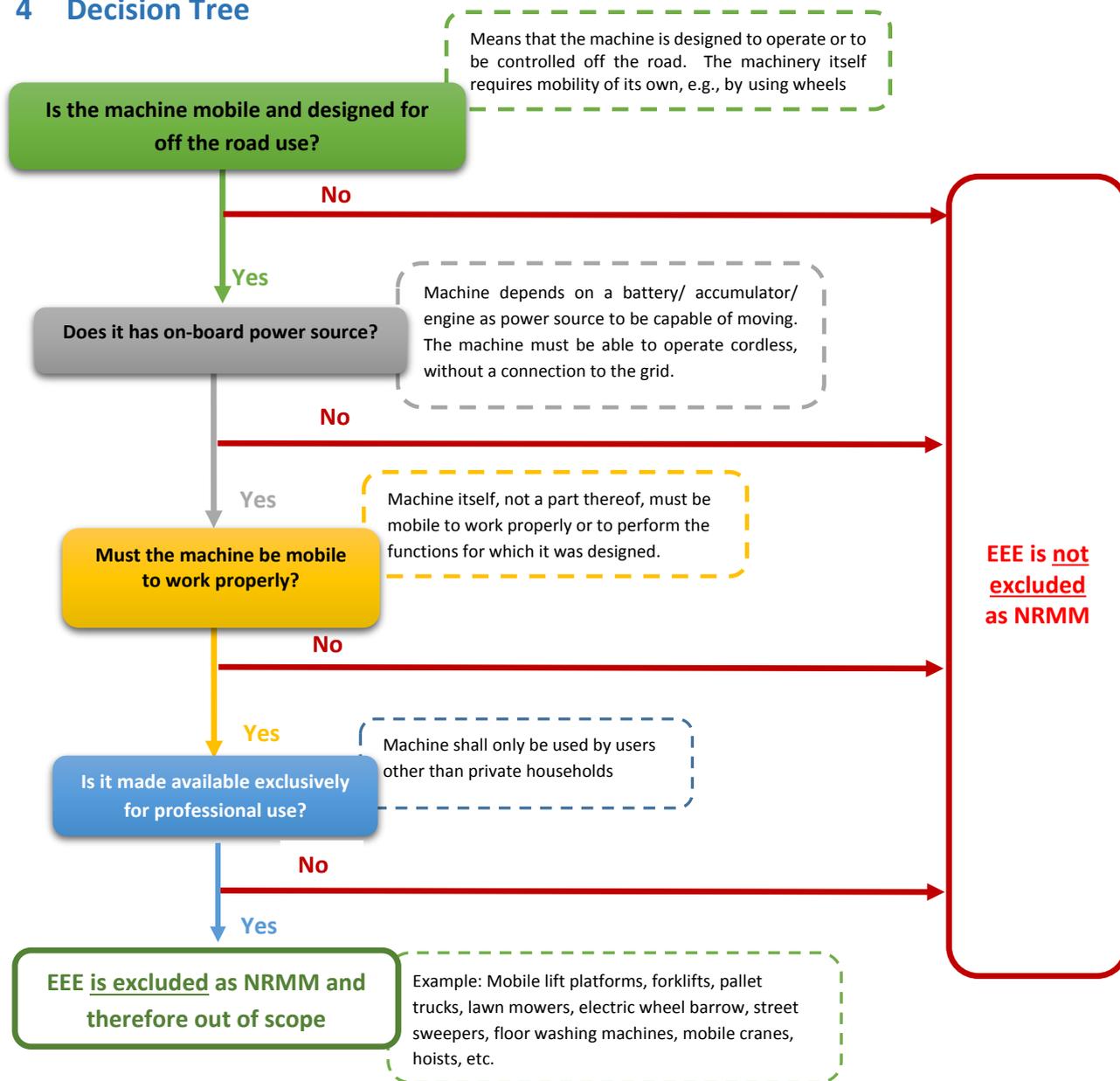
³ The reference to, e.g., wheels is to enhance that (i) the equipment is meant to be moving and (ii) to avoid that certain type of tools (e.g., robotic arms) can be interpreted as a mobile machinery.

⁴ For example: vacuum cleaners that require a connection to the electrical grid are not excluded.

⁵ To avoid excluding tools such as concrete mixer, with the argument that the equipment moves around in a construction site.

⁶ To assure that dual-use equipment is not covered by this exclusion

4 Decision Tree



5 European WEEE Registers Network (EWRN)

EWRN is an independent network of national registers at the heart of the national implementation of Directive 2002/96/EC and the new Directive 2012/19/EU (“WEEE2”) in the respective EU Member States.

Those responsible for managing the national registers are working together at EWRN as experts regarding electrical and electronic equipment (“EEE”) and its proper treatment.

EWRNs primary objectives includes promoting a harmonised approach to registration, reporting and scoping issues across the Member States. This includes harmonised interpretation of the new exclusions under WEEE2.