

Regulations guarantee amount (PBÜ)

FUTURE RULE: Data on determining the guarantee amount

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1. Subject of regulation

This rule bindingly determines the guarantee amount factors that are necessary to determine the insolvency safe guarantees that must be submitted as proof every calendar year according to § 6 paragraph 1 clause 3 alternative 1, § 7 paragraph 1 clause 1 ElektroG to finance the take-back and disposal of electrical and electronic waste equipment.

2. Background

The guarantee amount for the insolvency safe guarantee that must be submitted is based on:

- the amount a producer would like to place on the market per calendar year (**basic amount for registration**) and for which a guarantee must be provided (§ 7 paragraph 1 clause 1 ElektroG);
- the **disposal costs** that will **presumably** arise on expiration of the presumed average lifetime for the disposal of the electrical and electronic waste equipment within a group;
- the **presumed return rate**, i.e. the percentage of electrical and electronic equipment that will accrue throughout the total lifetime at the handover facilities of the public waste disposal authorities.

Determining the guarantee's period of validity is based on:

- the **presumed medium life expectancy**: Should a guarantee claim occur then liability for a guarantee that is not yet released is limited regarding time to the average maximum lifetime. The presumed medium life expectancy determines after which time period electrical and electronic equipment that was placed on the market within a guarantee validity period on average comes back.
- the **average maximum life expectancy**: Should a guarantee claim occur, the liability for a guarantee that is not yet released is limited regarding time to the average maximum life expectancy. The average maximum life expectancy determines after which time period electrical and electronic equipment that was placed on the market within a guarantee validity period has mostly been returned. Contained in this is a following year that results from the procedure created in § 34 ElektroG on the guarantee claim becoming effective.

3. Regulation

3.1 Determining the guarantee amount

Every producer, or respectively authorised representative (§ 3 number 10 ElektroG), can choose one of the following calculation methods to determine the guarantee amount:

a) 'Financing by cost-sharing' according to § 31 paragraph 5 clause 3 number 2 ElektroG

The proportion a producer has of the total amount of electrical and electronic equipment newly placed on the market for each type of equipment determines their share on the total return flow.

b) 'Pre-financing' according to § 31 paragraph 2 clause 3 number 1 ElektroG

The share of own electrical and electronic equipment a producer has in the total return amount. The necessary documentation, or respectively sorting costs, must be carried by the producer in the respective collection group, as well as for the maximum product utilisation period.

Depending on the chosen calculation method, the guarantee amount is calculated using following formulas:

Financing by cost sharing

Basic amount for registration (t) x presumed return rate (%) x presumed medium disposal costs (€/t)

Pre-financing

Basic amount for registration (t) x individual return rate of own electrical and electronic equipment to be expected after expiration of the average lifetime (%) x presumed disposal costs (€/t) + documentation and sorting costs.

3.2 Determining the respective relevant factors to calculate the guarantee amount

Stiftung ear determines the relevant factors for calculating the guarantee amount bindingly. Stiftung ear inquires especially on experience from participants, or respectively third parties, for this decision and takes this into consideration.

You can find the figures to calculate the guarantee amount as of 2023 in the table. Please find figures for prior months/guarantee validity periods with published older rules (partly in German).

Types of equipment	presumed return rate	presumed medium disposal costs (EUR/t)	presumed medium life expectancy (in months)	average maximum life expectancy (in months including following year)
Temperature exchange equipment, that can be used in private households	57 %	175,00	120	228
Screens, that can be used in private households	45 %	160,00	72	132
Gas discharge lamps, that can be used in private households	11 %	900,00	60	132
Lamps except gas discharge lamps, that can be used in private households	7 %	900,00	84	180
Large equipment, that can be used in private households	11 %	20,00	120	240
Large photovoltaic panels, that can be used in private households	15 %	250,00	240	492

Types of equipment	presumed return rate	presumed medium disposal costs (EUR/t)	presumed medium life expectancy (in months)	average maximum life expectancy (in months including following year)
Small equipment, that can be used in private households	10 %	40,00	108	204
Small photovoltaic panels, that can be used in private households	15 %	250,00	120	252
Small It and telecommunication equipment, that can be used in private households	14 %	40,00	72	144

4. Validity period

This regulation is effective as of publication on stiftung ear's homepage.