

FAQ

Q: *Who can be registered as an authorized representative?*

A: Any natural or legal person with a registered office in Austria.

Q: *What is a foreign distance seller?*

A: A foreign distance seller is anyone who sells packaging in Austria directly to end consumers by means of distance communication and is established in another EU member state or in a third country.

Q: *Can a branch office also be registered as an authorized representative?*

A: No, because branches do not have their own legal personality in Austria.

Q: *What are the duties of the authorized representative?*

A: The authorized representative is liable under administrative law for the foreign distance seller/manufacturer and is checked by the relevant authorities to this effect. The authorized representative concludes the contracts with the system and carries out the declaration of the quantities of packaging placed on the market.

Q: *What are my obligations as a manufacturer?*

A: You must define the scope of the authorization, especially the collection categories. In addition, you must provide all information, documentation and resources to enable ERP Service GmbH to fulfill its obligations to the authority.

As a foreign manufacturer, it must also be stated to which domestic primary obligors (= customers) the distribution is planned. This list must be updated immediately in case of changes.

Q: *I already have an authorized representative for electrical equipment and batteries, do I need an additional registration?*

A: Yes, it is an additional obligation according to the Packaging Ordinance and therefore you need a separate registration. ERP Service GmbH offers you the authorization for all waste streams!

Q: *Do I have to submit the authorization to the ministry myself or does ERP Service GmbH do it for me?*

A: Please send us the notarized power of attorney by **e-mail** (scanned legibly) to service@dach-landbellgroup.com and we will forward it to the Ministry.

Q: *When is the authorization valid?*

A: Registrations for authorization are always made on a quarterly basis. Please send us your proxy no later than 15.12.2022 to ensure timely submission. Even if you do not receive your registration confirmation until after 01.01.2023, it will be retroactive to 01.01.2023 as long as your authorization order is received by the Department by 31.12.2022.

Q: *What happens if I submit after the effective date of 01.01.2023?*

A: In this case, your authorization can be activated no earlier than 01.04.2023 and you commit an administrative violation. The distribution of your products to Austria may be prohibited.

Q: *What data is required?*

A: To set up the authorization, we need your complete company address, the required collective categories and, in the case of foreign manufacturers, the resellers (= customers) to be supplied in Austria.