

# MEASURES FOR STRENGTHENING BORDER CONTROL & FACILITATION OF TAKEBACK PROCEDURE

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# Introduction

Singapore is a Party to these MEAs:

MEA	Date of Ratification	Domestic Legislation
Basel Convention	2 Jan 1996	Hazardous Waste (Control of Import, Export & Transit) Act
Montreal Protocol	5 Jan 1989	Environmental Protection and Management Act and Regulations
Stockholm Convention	24 May 2005	
Rotterdam Convention	24 May 2005	

# Control & Prevention of Illegal Shipments

## Multi-prong Approach:

- Legislation
- Monitoring
- Enforcement
- Education



# Legislation

## Environmental Protection & Management Act (EPMA)

- Chemicals controlled under the MP, RC and SC are listed as HS under the 2<sup>nd</sup> Schedule of the EPMA
- Licence requirements
- EPM (Hazardous Substances) Regulations
  - Transport, handling, use, storage requirements
- EPM (Air Impurities) Regulations
  - Emission limits for air pollutants including dioxins and furans
- EPM (Ozone Depleting Substances) Regulations
  - Prohibits trade with non-Parties

## Hazardous Waste (Control of Export, Import & Transit) Act

- Hazardous wastes controlled under the Basel Convention listed in the Schedule
- Imposes permit requirements
- Hazardous Waste (Control of Export, Import and Transit) Regulations
  - Stipulates permit requirement
  - Orders by Directors in relation to Hazardous Waste and other wastes
- Hazardous Waste (Extended Meaning of Hazardous and other Wastes) Notification 2005
  - Malaysia
  - Indonesia
  - Thailand
  - Philippines

# Monitoring (Shipment Control via TradeNet)

- User submits electronic trade declarations to the system for processing.
- Declarations routed automatically to the relevant Government organisations or Controlling Agencies (CAs) for verification and processing.
- Cargo clearance permits transmitted electronically to the sender's electronic mailbox.



# Monitoring (Shipment Control via TradeNet)

- Shipments controlled by PCD:
  - Hazardous Wastes & certain non-hazardous wastes
  - Controlled Hazardous Substances (including CFCs, HCFCs, DDT, chlorobenzenes, and other toxic pesticides and chemicals).
  - Used electronic and electrical equipment and e-wastes



# Enforcement (National)

- PCD works closely with other agencies as follows:
  - Maritime & Port Authority (MPA)
  - Port of Singapore Authority (PSA)
  - Immigration & Checkpoint Authority (ICA)
  - Singapore Customs (SC)
- Intelligence or feedback obtained on illegal movements are shared with the agencies and joint inspections are carried out

# Enforcement (Regional)

- Singapore is an active participant of several enforcement networks including
  - Asian Network for Prevention of Illegal Transboundary Movements of Hazardous Wastes
  - Regional Enforcement Networks on MEAs
  - Project Sky-hole patching (Ozone & Dangerous commodities)






# Partnership & Education

- Partnership with
  - Singapore Chemical Industry Council
  - Advisory Committee on HSTW
  - Working Groups
- Circulars to Traders / Industry
- Regular briefings with:
  - Industries
  - Traders
  - Licensees
- Dedicated website on Management & Control

# Risk Profiling with Singapore Customs (SC)

- Target HS Codes used to misdeclare shipment containing hazardous wastes e.g. Mixed metal scrap, computer parts etc
- Target companies likely to be trading in hazardous wastes e.g. waste lead acid battery
- Target companies dealing with used electronic equipment and e-wastes

# Case of Illegal Import

- Sep 2010 : A shipment declared as scrap metal was inspected by Immigration and Checkpoint Authority Singapore (ICA) and found to contain lead acid batteries.
  - NEA officers checked and confirmed the presence of waste lead acid batteries. Company does not have a Basel Import Permit.
  - The importing company deals in waste lead acid batteries and was recently added to our target list
  - Investigation and prosecution pending
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# Case of Illegal Import



Shipment declared as scrap metal but contains waste lead acid batteries  
Importing company deals in waste lead acid batteries and is in our target list

# Take Back Case (1)

- May 2009: The Hong Kong Environmental Protection Department (HKEPD) intercepted a container that was exported from Singapore to Hong Kong and found hundreds of waste computer monitors inside the container.
- HKEPD classifies the shipment as hazardous waste and illegal traffic, and ordered the return of the container to Singapore.
- NEA monitored the return of the container to Singapore.



# Take Back Case (1)

- NEA officers inspected the container and confirmed it to contain hundreds of waste computer cathode ray tube (CRT) monitors. The waste CRT monitors were stacked up on top of one another and a few were found to be broken. The waste computers were inadequately packed to the extent that some of them fell off from the container upon the opening of the container door.



# Take Back Case (1)

- Singapore regards the CRT monitors as hazardous waste under Waste Code Y31 (Lead; Lead compounds) of the Basel Convention.
- Company prosecuted for violation of The Hazardous Waste (Control of Export, Import & Transit) Act



# Take Back Case (1)



CRT monitors stacked on top of one another without proper packaging



Broken CRT monitors



# Take Back Case (2)

- March 2010: HKEPD returned an illegal shipment of “waste batteries” to Singapore after being intercepted in Hong Kong.
- NEA officers monitored the return of the container to Singapore. NEA officers inspected the container and found used laptops, CPUs, scrap printed circuit boards and scrap computer power supply units.
- This shipment was found to be be misdeclared as “Aluminium Waste & Scrap“, therefore evading Customs control.
- NEA & SC has since included this HS Code in the risk profile.

# Take Back Case (2)



Electronic scraps misdeclared as "Aluminium Waste & Scrap"



# Take Back Case (3)

- On October 2006, PCD officers received an import declaration on TradeNet for lead acid batteries. The importer did not have Basel permit.
- We notified port agency immediately to stall the containers at the Port for NEA's inspection.
- Further investigation revealed that the 4 containers contained waste lead acid batteries and lead plates.

# Take back Cases (3)



# Take Back Case (3)

- Recalled the first container which was already exported to Hong Kong.
- Returned all four containers of waste lead acid batteries to country of origin.
- Prosecuted company and the court levied a fine of \$8,000.

# Facilitation of take back

- In these cases, the companies complied with the authorities in returning the shipments back to the State of export.
- NEA informed the Port authority and Customs to monitor and seal the shipment once they arrive at Singapore checkpoint
- Shipment is inspected by NEA officers and verified as illegal hazardous waste under the Basel Convention



# Facilitation of take back

- *Apr 2010: NEA informed UNEP MEA Regional Enforcement Network (REN) Coordinator of a suspected shipment of hazardous electronic wastes destined for India. The information originated from an NGO – The Basel Action Network.*
- *UNEP disseminated the information to Directorate of Revenue Intelligence (DRI) of India immediately. After inspection, the DRI found the container illegal and detained it.*
- *The container will be re-exported to the country of origin after following due process of adjudication. It is encouraging that the regional cooperation and information sharing has prevented waste trafficking effectively.*

Thank you for your kind attention 😊