

Import control on second-hand electric and electronic commodities

Country/ District	Control on second-hands	Applicable act/decree/notification	Date control applied	Controlling method		Second-hand commodity being controlled											Detail	Hazardous characteristics on second-hand materials (any qualitative criteria or standard for second-hand materials)	HS-code applicable to second-hands	Basel Convention Article 3 national definition	Reason for control on second-hands	Criteria distinguishing second-hands from hazardous wastes											
				ban	permit needed	CRT TV	Air con	Fridge	wash machine	micro-wave	PC	Copier	LCD TV	Printed circuit board	cell phone	Pachico machine																	
PR.China	YES	Announcement 11, 2008, "Catalogue of Solid Waste Forbidden to Import in China"	2008 Mar	Yes		X	X	X	X	X	X	X	X	X	X	X	X	*Waste mechanical and electronic apparatus (including its parts, components, or scraps) is principally prohibited	**National Catalogue of Hazardous Wastes" specifies hazardous characteristics "Hazardous wastes" means solid wastes included in the national catalogue of hazardous waste or solid wastes which, according to the identification standards of hazardous wastes, are determined as having the hazardous property.	No	Yes		**Requirement for Identification of Secondhand Electric Equipments (2005/7)" specifies criteria distinguishing secondhand from wastes from a viewpoint of environment, health and safety, and utilization (This identification method is not only for imported secondhand electric goods). *Method of identification includes physical appearance check, lab analysis, functionality test, or judgment by relevant information provided by manufactures.										
China						Control on E-waste												Control on E-waste															
HongKong S.A.R.		Any article or substance once given up by the original user is considered as waste under the Waste Disposal Ordinance (WDO), irrespective whether it is still workable or can be sold for a value. Used or second-hand electrical or electronic equipment should be presumed waste in the first place unless they meet the requirements set out in the guideline "Advice on Import and Export of Used Electrical and Electronic Appliances having Hazardous Components or Constituents". Import of waste for transshipment in Hong Kong should be regarded as an import and an export operations, both of them require a valid permit issued under the WDO. There are currently no proper reuse or recycling outlets for WEEE in Hong Kong and no import of WEEE for such or other purposes will be allowed.	1996		Yes. EPD will not issue permit for the import of controlled waste from any country listed in the Ninth Schedule of the WDO, i.e. countries listed in the Basel Ban Amendment	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	The Waste Disposal Ordinance (WDO) defines "waste" as any substance or article which is abandoned. It also stipulates that any substance or article which is discarded or otherwise dealt with as waste is presumed to be waste until the contrary is proved. For the purpose of waste import and export control, any article or substance once given up by its original user is considered as waste under the WDO, irrespective whether it is still workable or can be sold for a value. In line with the Basel Convention, the WDO controls the import and export of waste electrical and electronic appliances containing hazardous constituents or components through a permit system. Any person imports or exports the above controlled waste should obtain a permit from the Environmental Protection Department (EPD) in advance. Used electrical and electronic appliances having hazardous components or constituents (e.g. CRT, batteries) will likely be regarded as waste and fall within the said control. For details, please refer to the following links:- (1) A Guide to the Control of Import and Export of Waste:- http://www.epd.gov.hk/epd/english/environmentinhk/waste/guide_ref/files/07ie_english.pdf (2) Advice on Import and Export of Used Electrical and Electronic Appliances having Hazardous Components or Constituents:- http://www.epd.gov.hk/epd/english/environmentinhk/waste/guide_ref/files/advice_on_e-waste.pdf	With the exception of the import or export of uncontaminated waste in the Sixth Schedule of the WDO for the purpose of reprocessing, recycling, recovery or reuse, all other waste import and export activities require valid permits issued by EPD.	N/A	N/A	The control in HKSAR is on the transboundary movement of hazardous waste that is tallied with the Basel Convention.	**Advice on Import and Export of Used Electrical and Electronic Appliances having Hazardous Components or Constituents" sets the criteria.										
Vietnam	YES	*Decree 12/2006/ND-CP, 23/1/2006 and under other legislations	2006 Jan	Yes	Yes	X	X	X(includes brand new CFC-R12 is banned)	X	X	X	X	X	X	X	X	X	*Decree 12/2006/ND-CP, 23/1/2006 Annez 02 II (Commodities Banned from Import) includes such "Second-hand consumer commodities" as "Electronics secondhand consumer commodities including electric assemblies, information technology products. *Decree 12 also prohibits the import of the second hand home appliances including direct reuse purpose. *There is no criteria or standard for the second-hand commodities being controlled by Decree 12 *Circular 04/2006/TT-BTM dated 6 April 2006 issued by the Ministry of Trade providing guidance on implementing Decree 12. Under Annex 1, Item II there is a list of second hand comodities probilited from import to VN.	*Decision No. 23/2006/QD-BTNMT stipulates e-waste is considered as hazardous waste.	Yes	Yes	The control on second hand home appliances is intoroduced to protect environment, while Vietnam has the WTO agreement which abolishes all import ban and ban can only applied according to WTO rules.	*No criteria for second hand electric appliances being controlled are defined.										

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Thailand	YES	Notification of Department of Industrial Works on the criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand	2003 Sept		Yes	X	X	X(CFC contained is banned)	X	X	X	X	X	X	X	x(considered as E-waste)	X		No	No	The control on second hand home appliances is introduced to protect environment.	*Equipment shall be in the original conditions as being manufactured, and in use less than 3 years from manufacturing date, except for a copy that shall be in use less than 5 years.	
Indonesia	YES	*Ministry of Industry and Trade Decree No.756/MPP/Kep/12/2003 and No.610/MPP/Kep/10/2004 *Ministry of Industry Decree No. 39/M-DAG/PER/12/2005	2006Jan-2007 Dec(No. 39/M-DAG/PER/12/2005)		Yes	X (banned)	X (banned)	X (banned)	X (banned)	X (banned)	X	X	X	X	X	X (banned)		No	No	*Import is allowed for promotion of investment including promoting factory transfer and export. (No.39/M-DAG/PER/12/2005)	*According to No.756/MPP/Kep/12/2003, non-new capital goods are defined as goods which are still proper to be used or to be reconditioned for refunctioning.		
Philippines	YES	*DAO No.28 Series of 1994 "Interim Guideline for the Importation of Recyclable Materials containing Hazardous Substances" *Republic Act 6969 "An act to Control Toxic Substances and Hazardous and Nuclear Wastes"	1994 March		Yes	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX		No	No	Reason is not available(to be confirmed at Workshop)	*DAO 28 Series of 1994 states import of recyclable materials including reuse purpose containing hazardous substances need the permit from DENR. Standard for defining hazardous characteristic is stipulated in Procedural Manual Title III of DAO 92-29 and applicable to reuse commodities. *Recyclable material for reuse is defined as the material which used for original use for any purpose of commercial, industrial, agricultural or economic value		
Cambodia	NO	Control on second-hands by Municipal and Environmental Department on Repairing and storage of E-waste remaining from repairing shop. The regulation of UEEE is still not developed. There are only regulation on Solid Waste Management which strictly prohibited imported into the country including all waste.				-	-	-	-	-	-	-	-	-	-	-		No	-	-	-		
Japan	No	-				-	-	-	-	-	-	-	-	-	-	-		Yes Using domestic HS codes to differentiate UEEE from brandnew EEE	-	-	Identification standards for export of second-hand CRT TVs (2009)		

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Republic of Korea	NO	—				—	—	—	—	—	—	—	—	—	—	—	*Electric goods are not included in the list of commodities regulated from import of "Notification of Ministry of Commerce, Industry and Energy, No.2004-136)	No	—	—		
Singapore	NO	—				—	—	—	—	—	—	—	—	—	—	—	*No regulation policy on import of secondhand electric goods in Singapore	No	—	—		
Malaysia	NO	—				—	—	—	—	—	—	—	—	—	—	—	*Although no import control policy on secondhand electric goods, "the Environmental Quality (Scheduled Wastes) Regulation, 2005" regulates import of "waste from electrical and electronic assemblies containing components such as accumulators, mercury-switches, glass from CRT and other activated glass or PCB capacitor, or contaminated with cadmium mercury, lead, nickel, chromium, copper, lithium, silver, manganese or PCB". *E-waste is regulated as hazardous waste in the Environmental Quality 2005. Waste is all SW110. "Guidelines for the Classification of Used Electrical and Electronic Equipment in Malaysia" is issued in order to assist all parties concerned (waste generator, transporter, importer/exporter and relevant authorities) in identifying and classifying a used electrical and electronic equipment or component, whether it is categorized as an e-waste and thus prescribed under the First Schedule of the Environmental Quality (Scheduled Wastes) Regulations 2005	**Guidelines for the Application of Special Management of Scheduled Waste" specifies characteristics of corrosivity, ignitability, reactivity and toxicity. Maximum concentration of contaminants for the TCLP is also specified. *As for toxicity, extraction test (TCLP) and composition test at dry basis (TTL & STLC) are required. (e.g., max lead concentration by TCLP is 5.0 mg/l, and lead composition (dry basis) should be below 2,500mg/kg by TTL & 5mg/l by STLC)	No	—		

Legend
X=Second-hand commodity specified is subject to control
XX=Second hand commodity is subject to control if specified hazardous substance container
—=Second-hand electric commodity is NOT subject to control