

# Questionnaire for Asian Network Workshop 2021

## Objectives of the Workshop 2021:

- ✓ Share the latest information on policies, rules, regulations, and trends in the transboundary movements (TBMs) of hazardous wastes, with a special focus on plastic wastes.
- ✓ Share experiences and challenges of countries in relation to the plastic amendment under the Basel Convention which entered into force on 1 January, 2021.

## Purpose of the Questionnaire

The information provided by countries<sup>1</sup> is an important input to facilitate discussions at the workshop. Therefore, the Secretariat kindly requests all participants to fill out the questionnaire form and send it back prior to the workshop. The Secretariat will report results of the questionnaire at the workshop.

Please note that all country representatives are requested to deliver a presentation on their answers to the questionnaire. We would be grateful if you could kindly prepare a presentation based on your answers to this questionnaire.

## Submission:

Please fill out and send this questionnaire at your earliest convenience and no later than **29 October, 2021** to the Secretariat. Contact information is as follows:

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If you have any questions, please feel free to contact the Secretariat.

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<sup>1</sup> This questionnaire uses the term “countries” since it is expected that most respondents are competent authorities or focal points of Parties to the Basel Convention. If you are not a country representative, please fill out the information on your region, special administrative region, or country where you are located.

## 1. Updates on National Laws/Regulations relevant to the implementation of the Basel Convention

### (1) National Laws/Regulations relevant to the domestic implementation of the Basel Convention

Are there any updates of national laws/regulations relevant to the implementation of the Basel Convention in your country (e.g. establishment of new policies, laws/regulations, development of guidelines, and/or amendment of existing legal systems) since the last Asian Network Workshop in 2020? If so, please fill out the details and kindly send electronic copies of those relevant laws/regulations to the Secretariat. (English documents are preferable, however it would still be helpful for us to receive these documents in the original language.)

#### New or amended laws/regulations

Name of the new law/regulation	Contents	Enforcement date (dd/mm/yy)

Moreover, please check “Law and Regulation” and “Import Control on Secondhand” in the Asian Network website below and let us know if you have any amendments or additions to them.

#### ➤ Law and Regulation

[http://www.env.go.jp/en/recycle/asian\\_net/Country\\_Information/Law\\_and\\_Regulation.html](http://www.env.go.jp/en/recycle/asian_net/Country_Information/Law_and_Regulation.html)

#### ➤ Import control on secondhand

[http://www.env.go.jp/en/recycle/asian\\_net/Country\\_Information/Import\\_ctrl\\_on\\_2ndhand.html](http://www.env.go.jp/en/recycle/asian_net/Country_Information/Import_ctrl_on_2ndhand.html)

### (2) Import regulation on UEEE (Used Electronic and Electronic Equipment) and E-waste

The Asian Network Secretariat drafted a summary matrix of import regulations on UEEE and E-waste in Asian Network countries (*see Appendix I*), based on information available in presentation materials of the last workshop and responses from countries to the questionnaire survey conducted in 2018, 2019 and 2020. Please check the descriptions of your country and revise or update the information as appropriate.

### (3) Import regulation on plastic waste

The Asian Network Secretariat drafted a summary matrix of import regulations on plastic waste in Asian Network countries (*see Appendix II*), based on information available in presentation materials of the last workshop and responses from countries to the questionnaire survey conducted in 2018, 2019 and 2020. Please check the descriptions of your country and revise or update the information as appropriate.

## 2. Responses to the amendments of the Basel Convention Annexes regarding plastic waste

At the Basel Convention 14<sup>th</sup> Conference of Parties (COP14) that was held on 29 April – 10 May 2019, Parties decided to adopt the following amendments to the Annexes, regarding plastic wastes.

- Y48 (Annex II): non-hazardous plastic waste but needs special consideration
- A3210 (Annex VIII): hazardous plastic waste
- B3011 (Annex IX): non-hazardous and suitable for immediate recycling.

These amendments entered into force on 1<sup>st</sup> January 2021.

(1) In order to clarify the definitions and scope for the entry into force of the plastic amendments listed above, please tell us about the status of your country's response.

- Already completed (e.g., introduced laws/regulations, standard, guidance)
- Ongoing (under consideration)
- Not initiated
- No response needed (sufficient with existing laws/regulations)
- Other ( )

Please explain in as much detail as possible, the current situation of your country in response to the plastic amendments.

(2) For those who answered “Already completed” at the question (1) above: what kind of response did you carry out in order to domestically implement the plastic amendments?

- Established new laws and regulations
- Amended existing laws and regulations
- Established standards/thresholds and/or guidelines related to the plastic amendment
- Other ( )

\* If possible, please send the texts of these laws and regulations to the Secretariat.

(3) What are the challenges your country faces to implement the plastic amendment domestically? (Multiple selections allowed)

- Difficult to interpret the terminology of the Annexes
- Difficult to coordinate domestically with related authorities and/or industry stakeholders for the amendment and/or implementation of laws and regulations
- Difficult to enforce by the Competent Authorities to the Basel Convention
- Difficult to distinguish controlled/regulated waste plastic by relevant implementation agencies, such as Customs Department
- Other ( )

(4) For those who answered the question (3) above, please tell us details on how the challenge(s) are being addressed.

(5) For those who answered the question (3) above, please tell us details on what could be helpful in addressing challenge(s).

(6) Please tell us how your country interprets and defines the following terms in Annex II (Y48) and Annex IX (B3011), and specifically how to distinguish plastic waste regulated under the Basel Convention.

**(a) almost free from contamination and other types of wastes**

**(b) almost exclusively consisting of.....**

**(c) destined for recycling in an environmentally sound manner**

(7) The Questionnaire in 2020 identified what types of plastic wastes are considered as Y48 or B3011 in each country (the result of questionnaire reported by the Asian Network Secretariat at the last workshop can be found at the Asian Network Website<sup>2</sup>). The questionnaire of this year asks again similar questions to all countries in order to find out any change has been made since the last Asian Network workshop regarding the scope of Y48 and B3011. Please select whether the following pictures of non-hazardous plastic wastes fall into the category of Y48 or B3011 in your country (**it does not have to be official position of your country. Your personal opinion/view is appreciated**)

a) Case of PET

	
<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case
	
<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	

<sup>2</sup>

[https://www.env.go.jp/en/recycle/asian\\_net/Annual\\_Workshops/2020\\_PDF/Presentations/2\\_Asian%20Network%20Secretariat\\_ANWS2020.pdf](https://www.env.go.jp/en/recycle/asian_net/Annual_Workshops/2020_PDF/Presentations/2_Asian%20Network%20Secretariat_ANWS2020.pdf)

**b) Plastic wastes that were generated from the process other than product manufacturing**

	
<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case
	
<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case

**c) Plastics derived from used electrical and electronic equipment or E-waste**

	
<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case
	
<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case

d) Other cases

 <p>(Pre-consumer plastic that can be used as raw material)</p>	 <p>(Non-visible contents of compressed pre-consumer plastic that can be used as raw material)</p>
<p><input type="checkbox"/> Y48    <input type="checkbox"/> B3011    <input type="checkbox"/> case-by-case</p>	<p><input type="checkbox"/> Y48    <input type="checkbox"/> B3011    <input type="checkbox"/> case-by-case</p>
 <p>(offcut or punchout generated from production process, single type plastic and single color)</p>	 <p>PVC cable (shredded)</p>
<p><input type="checkbox"/> Y48    <input type="checkbox"/> B3011    <input type="checkbox"/> case-by-case</p>	<p><input type="checkbox"/> Y48    <input type="checkbox"/> cable code (A1190 or B1115) <input type="checkbox"/> case-by-case</p>
 <p>Clean plastic waste coated by dirty packaging</p>	 <p>Plastic blending different type of polymers, so-called “polymer-alloy”, (e.g., PC/ABC) *Can it be considered single type of polymer?</p>
<p><input type="checkbox"/> Y48    <input type="checkbox"/> B3011    <input type="checkbox"/> case-by-case</p>	<p><input type="checkbox"/> Y48    <input type="checkbox"/> B3011    <input type="checkbox"/> case-by-case</p>



Electronic board with plastic covered wire etc.

Y48 B1110 case-by-case



Metal scrap mixed by a little amount of plastic

Y48 B1010 case-by-case

- e) In relation to the question from a) to d) above, do you have any criteria other than those can be identified by visual inspection for distinguishing Y48 from B3011? (e.g., information on the sources of plastic wastes, odor, etc.).

- (8) Please tell us if your country has (or plan to do) specific actions to effectively implement the plastic amendment which entered into force on 1 January 2021.

- Raise awareness of importers and exporters (specify actions below)
- Making information related to plastic amendment available on website
  - Disseminating information through seminars or other means
  - Providing pre-shipment consultation service for importers/exporters
  - Requesting pre-shipment inspection in country of origin
  - Other ( \_\_\_\_\_ )
- Sharing information with related implementing agencies such as Customs (specify actions below)
- Establishing a domestic communication mechanism (e.g., regular meetings with Customs)
  - Creating an inspection manual or SOP for distinguishing Y48 from B3011
  - Sharing intelligence on risk profiles
  - Creating plans for joint inspection/inspection strengthening month
  - Other (revising existing SOP on import/export of plastic waste)

- (9) Has your country already sent notification for export or received notification for import of Y48 plastic waste since January 1<sup>st</sup> 2021?

- Not yet
- Yes (How many notifications? \_\_\_\_\_)

For those who answered “Yes” at the question (9) above: please select the challenges your country faces to implement PIC procedures for Y48 plastic waste if any.

- Receive too many notifications
- Lack of national law/regulation to implement PIC for Y48
- Insufficient documents provided by importers/exporters
- Difficult to evaluate if Y48 plastic waste can be recycled in an environmentally sound manner in importing countries.
- Take long time to receive consent from importing countries
- Other ( \_\_\_\_\_ )

For those who answered “Yes” at the question (9) above: how many days or months needed on average to give consent to country of origin regarding import of Y48 plastic waste?

(10) Please write freely if you have items you would like to discuss at the Asian Network Workshop, or items you would like to further exchange information on through the network.

Appendix I

Summary of Import Regulation on UEEE in Asian Countries (As of March 2021)

The following table summarizes import regulation of Used Electric and Electronic Equipment (UEEE) in the Asian Network countries. The table is prepared by the Asian Network Secretariat based upon available information (mostly from presentation materials of the past workshop). It will be updated on a regular basis and shared among countries in order to enhance mutual understanding of import regulation of UEEE in the region.

<Legend>

\* Criteria for distinguishing UEEEs from E-wastes : (1) Date of manufacturing, (2) Appearance, (3) Product information (model, brand, serial etc.), (4) Packaging, (5) Functionality, (6) Contracts, (7) Existence of secondhand market

Country	Legal basis	Policy for importing UEEE			Criteria for distinguishing UEEEs from E-wastes*							
		Scope	Competent authority	Requirement (1) For reuse (including direct-use) (2) For repairing/refurbishment	(1)	(2)	(3)	(4)	(5)	(6)	(7)	
Brunei Darussalam	No Regulation				No Criteria							
Cambodia	Sub Decree No.16 on Electrical and Electronic Equipment Waste Management (dated 01 Feb 2016)	UEEE	Ministry of Environment (MoE)	(1), (2) Importation of UEEE is subjected to approval from the MoE	No Criteria							
Hong Kong, China	The Waste Disposal Ordinance (revised 2018)	(a) any waste of a kind specified in the Sixth Schedule, unless the waste is uncontaminated and is imported / exported for the purpose of a reprocessing, recycling or recovery operation or the reuse of the waste; (b) any waste of a kind specified in the Seventh Schedule, or not specified in the Sixth Schedule; or (c) any e-waste that does not fall within the description of paragraph (a) or (b)	Environment Protection Department (EPD)	(1) Any person imports or exports such WEEE should obtain a permit from the EPD in advance. (2) Used electrical and electronic equipment having hazardous components or constituents (e.g. televisions, computer monitors and batteries) and e-waste abandoned by its original user will fall within the waste import / export control unless they will be re-used for their originally intended purpose without repair.								
	Advice on Import and Export of Used Electrical and Electronic Equipment Having Hazardous Components or Constituents (July, 2018)	UEEEs having hazardous components or constituents	Environment Protection Department (EPD)	(1) Importers and exporters are strongly advised to take the following measures before importing or exporting into/from Hong Kong any such equipment to facilitate the import/export compliance checking (i) Select only those used equipment of reasonably new models and ages with genuine demand in the second-hand market of the importing countries. In any case, it is advisable to avoid any unit with over 5 years from the date of manufacturing; (ii) Arrange examination, repairing, retrofitting and testing of the used equipment to ensure that the used equipment is in good conditions meeting both the technical specifications and safety standard of the destined countries and suitable for reuse as such direct by consumers before they are exported. In any case, no damaged or non-working items should be allowed in the shipment; (iii) Properly record the examination, repairing and testing results of each of the used equipment, which should include their brand names, models and serial numbers, years of manufacturing, problems/damages found and fixed, dates and results of compliance testing conducted, and the correspondence details of the company responsible for the testing. Testing should be done not more than 2 years before shipment to the importing country. All the above information should be made available to the concerned control authority for inspection and	✓ <sup>3</sup>	✓	✓	✓	✓	✓	✓	✓

<sup>3</sup> Up to 5 years.

Country	Legal basis	Policy for importing UEEE			Criteria for distinguishing UEEEs from E-wastes*							
		Scope	Competent authority	Requirement (1) For reuse (including direct-use) (2) For repairing/refurbishment	(1)	(2)	(3)	(4)	(5)	(6)	(7)	
				<p>checking upon request;</p> <p>(iv) Provide proper and sufficient individual protective packaging to each of the used equipment to protect the WHOLE unit from damage during transportation and the associated loading and unloading operations. There should not be any direct physical contact between each unit and the packaging should be able to withstand the weight of the units placed on it. There should be legible labels or signs (e.g. with unique serial numbers) on the packaging to identify each item. Photos of the packaging should be provided, if considered necessary, to the relevant control authority for advice; and</p> <p>(v) Make prior contractual arrangement with concerned parties in the importing countries to secure proper second-hand outlet. Confirm with the control authorities of the importing countries on whether import of used equipment is allowable and whether the consignee or buyer is permitted to import them for sale as second-hand commodities.</p> <p>(2) Used electrical and electronic equipment having hazardous components or constituents (e.g. televisions, computer monitors and batteries) and e-waste abandoned by its original user will fall within the waste import / export control unless they will be re-used for their originally intended purpose without repair.</p>								
	How to distinguish between e-waste and second-hand regulated electrical equipment	Regulated electrical equipment (air-conditioners, refrigerators, washing machines, televisions, computers, printers, scanners and monitors) that has been abandoned by the original owner	Environment Protection Department (EPD)	<p>(1) "E-waste" that has undergone testing / proper repairing, destined for reuse for its originally intended purpose locally or overseas and with proper handling (e.g. protected by appropriate packaging or measures, to prevent damage during storage or transportation) may be classified as "second-hand REE", which is not subject to the control of the Waste Disposal Ordinance. Testing or repairing records of the "second-hand REE" should be properly kept and made available for inspection by relevant departments.</p> <p>(2) Used electrical and electronic equipment having hazardous components or constituents (e.g. televisions, computer monitors and batteries) and e-waste abandoned by its original user will fall within the waste import / export control unless they will be re-used for their originally intended purpose without repair.</p>								
Indonesia	Ministry of Trade Regulation Number 37/2020 Amending on Number 118/2018 concerning on Importation Used Capital Goods(April,2020)	Used Capital Goods (Goods for business capital or to produce something, still useable, or to be reconditioned, remanufactured, multi functioned and not for scrap) <sup>4</sup>	Directorate General of Foreign Trade, Ministry of Trade	Used Capital Goods that may be imported shall cover the goods in the list of this Regulation. Only used capital goods are permitted to import by direct user companies and reconditioning companies in bonded areas. The condition should be useable in one packaging, still function, not more than 5 years from production year and latest specification. Any import of used capital goods must obtain approval to import from the Director of the Directorate of General of Foreign Trade of Ministry of Trade.	✓	—	✓	✓	✓	—	—	
Japan	The Criteria for Distinguishing UEEE as Secondhand Goods as Its Exportation (Sep, 2013)	All type of UEEE	Ministry of the Environment	<p>(1) No regulation on import of UEEE. Only UEEE fulfilled the criteria can be exported for direct reuse purpose.</p> <p>(2) No regulation for import and export of UEEE for repair / refurbish purpose</p>	✓ <sup>5</sup>	✓ <sup>6</sup>	—	✓ <sup>7</sup>	✓ <sup>8</sup>	✓ <sup>9</sup>	✓ <sup>10</sup>	

<sup>4</sup> Article 5, Ministry of Trade Regulation Number 118/2020 Appendix II including monitor are not for remanufactured purpose

<sup>5</sup> Up to 15 years (air-conditioner and television) and up to 10 years (refrigerator, freezer and washing machine) are recommended in the guidelines.

<sup>6</sup> No damage, scar or stains (When major repair is required, the item is not considered to be a second-hand item for re-use purpose.) ※ There is concrete criteria for the specific kinds of home appliances.

<sup>7</sup> Appropriate packaging (appropriate packing, stacking and storage to avoid damage during collection, transportation, loading and unloading).

<sup>8</sup> Confirmation of the fact situation surrounding the market of second-hand goods with a contract document, etc.

※ The contract document must at least include: 1. Details concerning the sale of used electrical and electronic equipment as second-hand product (including information on prices); and 2. The products in question being not destined for the cannibalization of spare parts.

<sup>9</sup> Existence of a second-hand market for the products in question in an importing country.

<sup>10</sup> Proper functioning of individual products through the power test.

Country	Legal basis	Policy for importing UEEE				Criteria for distinguishing UEEEs from E-wastes*														
		Scope	Competent authority	Requirement (1) For reuse (including direct-use) (2) For repairing/refurbishment	(1)	(2)	(3)	(4)	(5)	(6)	(7)									
Lao PDR	No regulation																			No criteria
Malaysia	Guidelines for the transboundary movement of used electrical and electronic equipment in Malaysia	UEEEs or its components does not fulfill the definition of the code SW 110 or not contaminated with any scheduled waste under the provision of Environmental Quality Regulations, 2005		(1) UEEE less than 5 years after the date of manufacturing can be imported for direct reuse purpose (2) Operational licensed from relevant agencies <ul style="list-style-type: none"> <li>Description of the processes and the relevant flow diagrams of the imported UEEEs</li> <li>Valid contractual agreement between the importer and the Original Equipment Manufacturer which consists of the responsibilities and obligations of both parties (e.g. management of hazardous waste, reporting)</li> <li>Signed declaration and documentation with full details of importer</li> </ul>	✓ <sup>11</sup>	—	✓	✓	✓ <sup>12</sup>	—	—									
Myanmar	Ministry of Commerce Notification 36/2020	Imported Used Machine	Trade Department, Ministry of Commerce	<ul style="list-style-type: none"> <li>The Notification mainly focus for the Micro, Small and Medium Enterprise to enhance and support for increase production and capacity and to decrease the cost of investment.</li> <li>The equipment that not concern with the production process such as home appliances (refrigerator, air-conditioner, washing machine, copier, television) are not allowed to import</li> <li>The Imported used machine must be only for direct-used in production process and are not allowed to import for the purpose of redistribution and retailing.</li> <li>Directorate of Industrial Supervision and Inspection is the focal for inspection procedure.</li> </ul>	✓ <sup>13</sup>	✓	✓ <sup>14</sup>	—	✓ <sup>15</sup>	✓ <sup>16</sup>	—									
Philippines	DENR Administrative Order 2013-22: Revised Procedures and Standards for the Management of Hazardous Wastes	Waste Electrical and Electronic Equipment (WEEE)/E-waste or Used/Second-hand Electrical and Electronic Equipment (UEEE)	Department of Environment and Natural Resources - Environmental Management Bureau	(1) For reuse (including direct-use) and recycling/recovery	No distinction between WEEE and UEEE. Both are classified as E-waste															
Singapore	Import and export of E-wastes and used electronic equipment	UEEEs	National Environment Agency (NEA)	(1) Surveyor report by an authorized third-party inspection body (issued in country of export) indicating that all UEEE are in good working condition prior to shipment. Importer shall prove that UEEE purchased are for re-use purposes (i.e. ready market for the equipment) (2) Importer has contractual agreement with EEE manufacturers to repair and refurbish their equipment. Importer shall have repair facility. Importer shall prove that equipment repaired and refurbished have an outlet (i.e. ready market for the equipment). The import of UEEE for the purpose of final disposal is not allowed.	—	—	—	—	✓	✓	✓									
		Used telecommunication equipment	Info-communications Media Development Authority (IMDA)	(1) Importers / users shall ensure that used telecommunication equipment imported for direct reuse by individual / company complied with the relevant IMDA technical specifications before use. (2) Importers are required to obtain a relevant Telecommunication Dealer' s Licence from IMDA for sale, offer for sale or rental of repaired / refurbished telecommunication equipment in local market or for re-export purposes.	No criteria															
Thailand	Notification of the Department of Industrial Works on the Criteria for the approval of the import	32 UEEEs and 31 parts or components of UEEEs with Import Customs Tariff	Department of Industrial Works (DIW)	(1) UEEE or parts or components which have special qualification which are necessary for unique purpose by showing the reasonable necessity and its application as well. Used parts or components which still be kept as original manufactured form and import as spare parts for replacement the broken part by showing a replaceable evidence and reasonable necessity together with the application as well. They must	✓ <sup>17</sup>	—	—	—	—	—	—									

<sup>11</sup> Up to 5 years.

<sup>12</sup> For reuse.

<sup>13</sup> The machine must be direct-used and not be repaired or refurbished. It must not be used more than 10 years.

<sup>14</sup> Brand Name, Capacity, Model, Production date, Country of Origin, Type of fuel used.

<sup>15</sup> The machine must have at least 80% capacity and pre-shipment inspection certificate within 6 months before shipment must be submitted concerning the running condition of the machine.

<sup>16</sup> Sales Contract or Invoice must be submitted including detail specification of the machine.

<sup>17</sup> For refurbishment, up to 5 years (copying machine and its part (except toner cartridge and fuser module)), up to 3 years (others).

Country	Legal basis	Policy for importing UEEE			Criteria for distinguishing UEEEs from E-wastes*							
		Scope	Competent authority	Requirement (1) For reuse (including direct-use) (2) For repairing/refurbishment	(1)	(2)	(3)	(4)	(5)	(6)	(7)	
	of used electrical and electronic equipments into the Kingdom of Thailand (Sep, 2007)			<p>have the standard equivalent to Thailand Industrial Standard (TIS).</p> <p>&lt;Importers must have the following qualification&gt;</p> <ul style="list-style-type: none"> <li>In case importing UEEE, importers must be the same juristic person or same business operation and necessity to be used in a particular case for their own business.</li> <li>In case importing parts or components of UEEE, they must be a manufacturer, manufacturing agent, or distributor of UEEE and also doing repair business of UEEE or bring out parts and components of UEEE to be repaired outside Thailand.</li> </ul> <p>(2) In case of UEEE are exported for repairing or improving and mean to be brought back to Thailand, a copy of re-entry paper or a copy of exporting of those products from Customs Department must be shown. In case of UEEE, parts or components of UEEE are temporary imported for repairing or improving in Thailand, a period of reparation has to be informed and guarantee paper must be shown that these products will be sending out of the country which exporters must get the consent from origin country to send back those broken parts <u>which unable to be reused anymore</u>. Importers have to present documents regarding those broken parts or components within 30 days from exporting date. For UEEE that are manufactured in Thailand, those broken parts are not required to be sent back, but a treatment plan of those broken parts has to be shown.</p> <p>&lt;Importers must have the following qualification&gt;</p> <ul style="list-style-type: none"> <li>In case importing UEEE, sending parts or components out to be repaired and bring them back into Thailand, the importers must be the same person or juristic person as the exporters.</li> <li>In case importing UEEE, parts or components of UEEE to be repaired temporarily into Thailand, the importers must be a manufacturer of UEEE or parts or components of UEEE and also operate business regarding reparation of UEEE or parts or components of UEEE</li> </ul>								
Vietnam	Decree No.69/2018/ND-CP on Guidelines for the Law on Foreign Trade Management (May, 2018)	Imported goods in Appendix I of the List of Prohibited Imports	Ministry of Industry and Trade Ministry of Information and Communications	Ministry of Information and Communications, Local Customs Department	No criteria							
	Decision No. 18/2019/QD-TTg on Import of Used Machinery, Equipment and Technological Lines	Used technological lines classified in HS Code 84 in Appendix I	Ministry of Science and Technology Local Customs Department	<p>Used machinery and equipment may be imported when they meet the following criteria:</p> <p>1. Device age should not exceed 10 years. For machinery and equipment in some specific fields, the age of the equipment is specified in Appendix I of this Decision.</p> <p>2. Manufacturing according to the following standards:</p> <ul style="list-style-type: none"> <li>In accordance with regulations of national technical regulations (QCVN) on safety, energy saving and environmental protection;</li> <li>In the absence of QCVN related to imported machinery and equipment, imported machinery and equipment must be manufactured in accordance with the technical specifications of Vietnam's national standards (TCVN) or standards. national standard of one of G7 countries, Korea on safety, energy saving and environmental protection</li> </ul>	✓ <sup>18</sup>	—	✓	—	✓	—	—	
	Circular No. 11/2018/TT-BTTTT on detailed list of used information technology products	UEEE classified in HS (Chapter 84 and 85) in Appendix	Ministry of Information and Communications, Local Customs Department	<ul style="list-style-type: none"> <li>This is an important legal basis to prevent the importing of UEEE.</li> <li>List of used information technology appliances banned from import (Appendix): used printers, computers, mobile phones, LCD/CRT screens</li> </ul>	No criteria							

<sup>18</sup> Up to 20 years (machinery and equipment in specific fields in Appendix I) Up to 10 years (others).

Country	Legal basis	Policy for importing UEEE			Criteria for distinguishing UEEEs from E-wastes*							
		Scope	Competent authority	Requirement (1) For reuse (including direct-use) (2)For repairing/refurbishment	(1)	(2)	(3)	(4)	(5)	(6)	(7)	
	prohibited from import with their HS codes											

### Summary of Import regulation of plastic waste in Asian countries (As of March 2020)

The following table summarizes import regulation of dirty plastic waste (plastic waste not suitable for immediate recycling) of the Asian Network countries and do not cover import regulation of hazardous plastic waste. The table is prepared by the Asian Network Secretariat based upon available information (mostly from presentation materials of the past workshop). It will be updated on a regular basis and shared among countries in order to enhance mutual understanding of import regulation of plastic waste in the region.

< Legend >

\*Import control measure: (1) Import ban, (2) Allowed with conditions such as being homogeneous or clean with no residue contained, (3) Importer/exporter license is required for importation/exportation, (4) No regulation.

Country/ Region	Legal Basis	Focal point for inquiries	Overview of import regulation	Import control measure*				Note (e.g. conditions for import)
				(1)	(2)	(3)	(4)	
Brunei	No regulations	Department of Environment, Parks and Recreation, Ministry of Development	Currently, no specific regulation regarding plastic waste import is in place, however import of plastic waste is not administratively allowed. Consultation among the relevant government agencies on the said matter is on-going.				✓	—
Cambodia	Sub-Decree No. 36 on Solid Waste Management (dated 27 April 1999)	Ministry of Environment (MOE)	Import of plastic waste is strictly prohibited.	✓				Not only plastic waste but also all types of wastes are not allowed to import into Cambodia.
Hong Kong, China	Waste Disposal Ordinance (Cap. 354)	Environmental Protection Department (EPD)	Starting from January 1, 2021, any person who imports, exports or re-exports "regulated waste plastics" (i.e. waste plastics subject to control as "other waste" under the Basel Convention) into, from or via Hong Kong must apply for the relevant waste import/export permit in accordance with the Waste Disposal Ordinance (WDO) or obtain consent from the EPD in advance. As for importing, exporting or re-exporting "non-regulated waste plastics" (i.e. all other waste plastics outside of the scope of "regulated waste plastics") into, from or via Hong Kong, a declaration form and relevant documents should be submitted before commencement of shipments to prove the shipments comply with the WDO <sup>19</sup> .		✓	✓		—
Indonesia	Ministry of Trade Regulation No. 84/2019 (Regulation above was partially amended by Ministry of Trade Regulation No. 92/2019 amended by No.58/2020 amended by No.83/2020)	Ministry of Trade (MOT), in cooperation with Ministry of Environment and Forestry (MOEF) and Ministry of Industry (MOI)	Import of plastic waste should comply with the following requirements; <ul style="list-style-type: none"> <li>• Importation should be done by importer producer that hold Importer license from MOT</li> <li>• Importation should be used directly by importer producer and could not be distributed to other company</li> <li>• Importer producer should already have the facility and already operational by domestic scrap plastic product of the importer should be final product</li> <li>• Every non hazardous waste importer should provide statement letter from the exporter to make sure non hazardous waste being imported is not hazardous waste</li> </ul> Note: (i) Before getting importation permit from MOT, importer producer should get recommendation from MOEF and MOI. (ii) Pre-shipment inspection should be conducted at State of Origin and the report should be submitted. Only those surveyors authorized by MOT can conduct pre-shipment inspection.		✓	✓		Plastic scrap which can meet the following conditions are allowed to import according to MOT regulation. <ul style="list-style-type: none"> <li>• It is not generated from landfill</li> <li>• It is not mixed with other waste</li> <li>• It is not contaminated with hazardous material/waste</li> <li>• It is homogeneous</li> </ul> The types of plastic wastes (e.g. PP, PE, PET) are defined based upon HS code and listed in the Appendix of the MOT Regulation.
Japan	Japanese Basel Act Wastes Disposal and Public Cleansing Act	Ministry of the Environment	If plastic wastes fall under Y48 in Annex II of the Basel Convention, PIC (prior informed consent) procedure is necessary. If plastic wastes fall under B3011 in Annex IX of the Basel Convention, PIC procedure is		✓			Criteria for distinguishing plastic wastes subject to control under the Japanese Basel Act from others has been released.

<sup>19</sup> Full detail available from EPD webpage:

[http://www.epd.gov.hk/epd/english/environmentinhk/waste/guide\\_ref/guide\\_wiec\\_tcs6.html](http://www.epd.gov.hk/epd/english/environmentinhk/waste/guide_ref/guide_wiec_tcs6.html)

Country/ Region	Legal Basis	Focal point for inquiries	Overview of import regulation	Import control measure*				Note (e.g. conditions for import)
				(1)	(2)	(3)	(4)	
			not necessary.					
Laos PDR	No regulation	Pollution Control Department, Ministry of Natural Resource and Environment	No specific regulation on plastic waste importation.				✓	–
Malaysia	Solid Waste and Public Cleansing Management Act 2007 (Act 672)	National Solid Waste Management Department (JPSPN), in cooperation with Department of Environment (DOE)	In principle, plastic waste import is allowed if it can contribute to upgrade local recycling industry. Importer is given quota for import (generally up to 70% of total capacity of facility). JPSPN controls plastic waste import and issues import permit (AP: Approved Permit). DOE issues a Compliance letter to JPSPN if importer complies with related environmental regulation.		✓	✓		There are 18 criteria for Import permit (AP). AP is not required for import of segregated single type plastic, pellet and flake. There are no legally defined criteria for conditions of plastic waste allowable for import, however, JPSPN has internal guideline to distinguish clean and homogenous plastic waste.
Myanmar	Notification 22/2019 by the Ministry of Commerce (Import Negative List)	Ministry of Commerce (MOC) in cooperation with Environmental Conservation Department under Ministry of Natural Resources and Environmental Conservation (ECD- MONREC)	Approval from MOC is necessary for import of plastic waste. ECD-MONREC gives recommendation for MOC for its consideration of approval.		✓	✓		Recyclable Plastic Scrap can be imported if; (a) it is clean, homogenous and ready to use as raw material without generating residual materials in the production process. (b) it must be free from contamination and other types of wastes (c) recycling facility or factory must have approval for environmental management plan or initial environmental examination or environmental impact assessment issued by ECD-MONREC. Notification of Import Prohibited List is is ongoing development.
Philippines	DENR Administrative Order 2013-22: Revised Procedures and Standards for the Management of Hazardous Wastes	Department of Environment and Natural Resources - Environmental Management Bureau	Importers are required to register with the Environmental Management Bureau with all compliance documents i.e., Environmental Compliance Certificate (ECC); Treatment, Storage and Disposal (TSD) Registration Certificate, Permit to Operate (if applicable), Environmental Guarantee Fund (EGF), etc		✓	✓		Secure an Importation Clearance (IC) at least thirty (30) days prior to shipment's arrival
Singapore	Hazardous Waste (Control of Export, Import and Transit) Act	Chemical Control and Management Department, National Environment Agency (NEA)	Plastic waste listed as Y48 in Annex II and A3210 in Annex VIII are subject to transboundary movement control under the Basel Convention, while plastic waste listed in B3011 in Annex IV are exempted. Thus, a Basel import permit is required under the Hazardous Waste (Control of Export, Import and Transit) Act for the import of plastic waste classified under Annex II and VIII of the Basel Convention. Notwithstanding, any plastic waste containing Annex I constituents to an extent causing it to exhibit Annex III hazardous characteristics will be subjected to the Prior Informed Consent (PIC) procedure under the Basel Convention and will require a Basel import permit for its importation.		✓	✓		Plastic waste can be imported if: (a) it is clean and not contaminated by hazardous waste or other waste; (b) it is homogeneous or single stream without mixture with other types of plastic (exception for mixtures consisting of polyethylene (PE), polypropylene (PP) and polyethylene terephthalate (PET)); and (c) it is destined for recycling in an environmentally sound manner.
Thailand	Notification of Ministry of Industry Re: Criteria for permission of importation plastics, either used or unused, and its scraps into Thailand B.E. 2551(2008)	Department of Industry Works, Ministry of Industry (DIW) in cooperation with Pollution Control Department, Ministry	Import of plastic waste shall be approved by DIW; <ul style="list-style-type: none"> <li>The applicant shall be a factory which main business is to produce plastic products.</li> <li>Imported plastic scraps shall be used as a raw material in a factory only. Its import for commercial purposes (e.g. sell or distribute) is prohibited.</li> <li>The applicant shall submit a yearly plan of importing plastic scraps to DIW</li> </ul>		✓			The conditions of plastic scrap that is allowed to import are as follows: <ul style="list-style-type: none"> <li>Sorted into each type of plastic material</li> <li>Processed into small pieces of approximately less than 2 centimeters in length.</li> </ul>

Country/ Region	Legal Basis	Focal point for inquiries	Overview of import regulation	Import control measure*				Note (e.g. conditions for import)																							
				(1)	(2)	(3)	(4)																								
		of Natural Resources and Environment (PCD)	<ul style="list-style-type: none"> <li>Import quota shall be the amount that is indispensable to a factory and not exceeding the installed capacity of the production process.</li> </ul> DIW only permits the import of plastic scraps from Parties to the Basel Convention.”					Applied directly into the production process without pre-washing step.																							
	Notification of the Ministry of Industry Re: Delaying consideration of importing into Thailand (2017)	Ministry of Industry	MOI decided to cancel import and delay the consideration of allowing the import of plastic waste or scraps and E-waste or UEEE by 2020 (temporary ban of import). Recycling of plastic waste locally generated will be promoted. Decisions will be made by the Subcommittee on plastic waste and E-waste management preside by Minister of Natural Resources and Environment	✓				-																							
Vietnam	Law on Environmental Protection (LEP) (55/2014/QH13)	Ministry of Natural Resources and Environment (MONRE)	All types of wastes are not allowed to import in accordance with LEP-1993. After amendment of LEP in 2014, certain types of scraps, including plastics, can be imported if they are used for production process.					PM Decision (73/2014) lists the importable plastic scraps as follows; <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Type of plastic scrap</th> <th colspan="3">HS code</th> </tr> </thead> <tbody> <tr> <td rowspan="2">PE</td> <td>3915</td> <td>10</td> <td>10</td> </tr> <tr> <td>3915</td> <td>10</td> <td>90</td> </tr> <tr> <td>PS</td> <td>3915</td> <td>20</td> <td>90</td> </tr> <tr> <td>PVC</td> <td>3915</td> <td>20</td> <td>20</td> </tr> <tr> <td>PET, PP, PC, PA, ABS, HIPS, POM, PMMA, EPS, TPU, EVA, Silicon resin is removed from the manufacturing process and has not been used.</td> <td>3915</td> <td>90</td> <td>00</td> </tr> </tbody> </table>	Type of plastic scrap	HS code			PE	3915	10	10	3915	10	90	PS	3915	20	90	PVC	3915	20	20	PET, PP, PC, PA, ABS, HIPS, POM, PMMA, EPS, TPU, EVA, Silicon resin is removed from the manufacturing process and has not been used.	3915	90	00
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	Decision No. 28/2020/QĐ-TTg dated September 24, 2020 of the Prime Minister promulgates the list of import scrap for using as production materials.		PM Decision No. 28/2020/QĐ-TTg listed types of importable scraps subject to production process.																												
Decree No. 40/2019/ND-CP dated May 13, 2019 of the Government on amendments to Decrees on guidelines for the Law on Environment Protection.	Government Decree No. 40/2019/ND-CP amended guidelines for the LEP in relation to scrap import and defines more stringent requirement for environmental protection and stipulates necessary procedures																														
Circular No. 25/2019/TT-BTNMT dated December 31, 2019 of the Minister of Natural Resources and Environment promulgates the implementation of a number of articles of the Government's Decree No. 40/2019/ND-CP	MONRE Circular No. 25/2019/TT-BTNMT focus on inspecting and certifying the eligibility for environmental protection in import of scrap for using as production materials																														
Directive No.27/2018/CT-TTg dated September 17, 2018 of the Prime Minister on a number of urgent solutions for enhancement of management of scrap import and use of imported scrap for production purpose	PM Directive No.27/2018/CT-TTg defines measures to ensure control on import of plastic scrap and use of imported scraps into production process (guidelines on inspection of illegal import is to be developed by the Government)																														
Decision No. 35/2019/QĐ-TTg dated December 19, 2019 of the Prime Minister for the Regulation on interdisciplinary coordination in the management of scrap import activities.	PM Decision No. 35/2019/QĐ-TTg provides for the principles, purposes, contents, modes and responsibilities of coordination among the Ministries: Finance, Natural Resources and Environment, Transport, Public Security, Defense, Industry and Trade, Foreign Affairs, Science and Technology and People's Committees of provinces and central cities in state management for the import of scrap from abroad into Vietnam.																														
Circular No.08/2018/TT-BTNMTdated September 14, 2018 of the Minister of Natural Resources and Environment promulgates the Circular for national technical regulations on environment.	National Technical Regulation on environment for imported plastic scraps for production (QCVN 32:2018/BTNMT)																														

Thank you for your cooperation!!