



PHILIPPINES

Updates on regulation, implementation and ESM development of the Basel Convention

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(1) Current regulations relevant to the domestic implementation of the Basel Convention

- 1. Republic Act (RA) 6969: Toxic Substances and Hazardous and Nuclear Wastes Act of 1990**
 - covers the sound and proper management of **industrial chemicals** and **hazardous wastes** in all aspects of its life cycle
- 2. Department Administrative Order 1992-29**
 - Implementing rules and regulations of RA 6969
- 3. Department Administrative Order 1994-28: Interim Guidelines for the Importation of Recyclable Materials Containing Hazardous Substances**

Recyclable materials that are allowed to be imported:

1. Scrap metals
2. Solid plastic materials
3. Electronic assemblies and scrap
4. Used oil
5. Fly-ash



(1) Current regulations relevant to the domestic implementation of the Basel Convention

4. Department Administrative Order 2013-22: Revised Procedures and Standards for the Management of Hazardous Wastes

- Waste Electrical and Electronic Equipment (WEEE) is classified as hazardous waste under waste number **M506**.
- Solid plastic materials and electronic assemblies and scraps are allowed to be imported for recycling, as well as secondhand Electrical and Electronic Equipment (EEE) for direct resale/trading.
- Hazardous wastes such as WEEE are allowed to be exported for treatment, recovery, and final disposal.

Status: Ongoing review and consultation of the proposed amendments.



(2) Import regulation on UEEE and E-waste

Country	Legal basis	Policy for importing UEEE			Criteria for distinguishing UEEE from E-waste*						
		Scope	Competent authority	Requirement (1) For reuse (including direct-use) (2) For repairing/refurbishment	(1)	(2)	(3)	(4)	(5)	(6)	(7)
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							

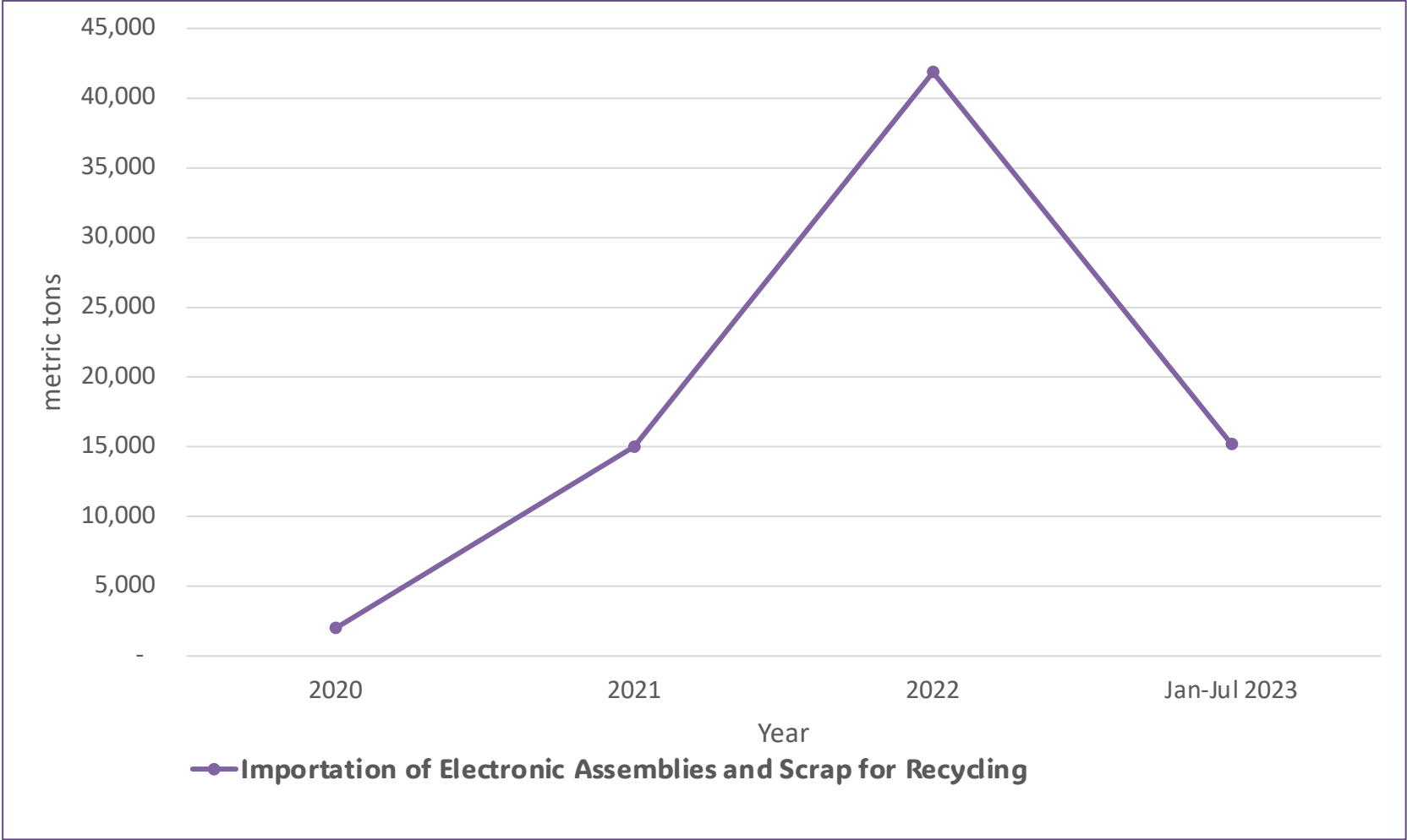
(3) Import regulation on plastic waste

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)	
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



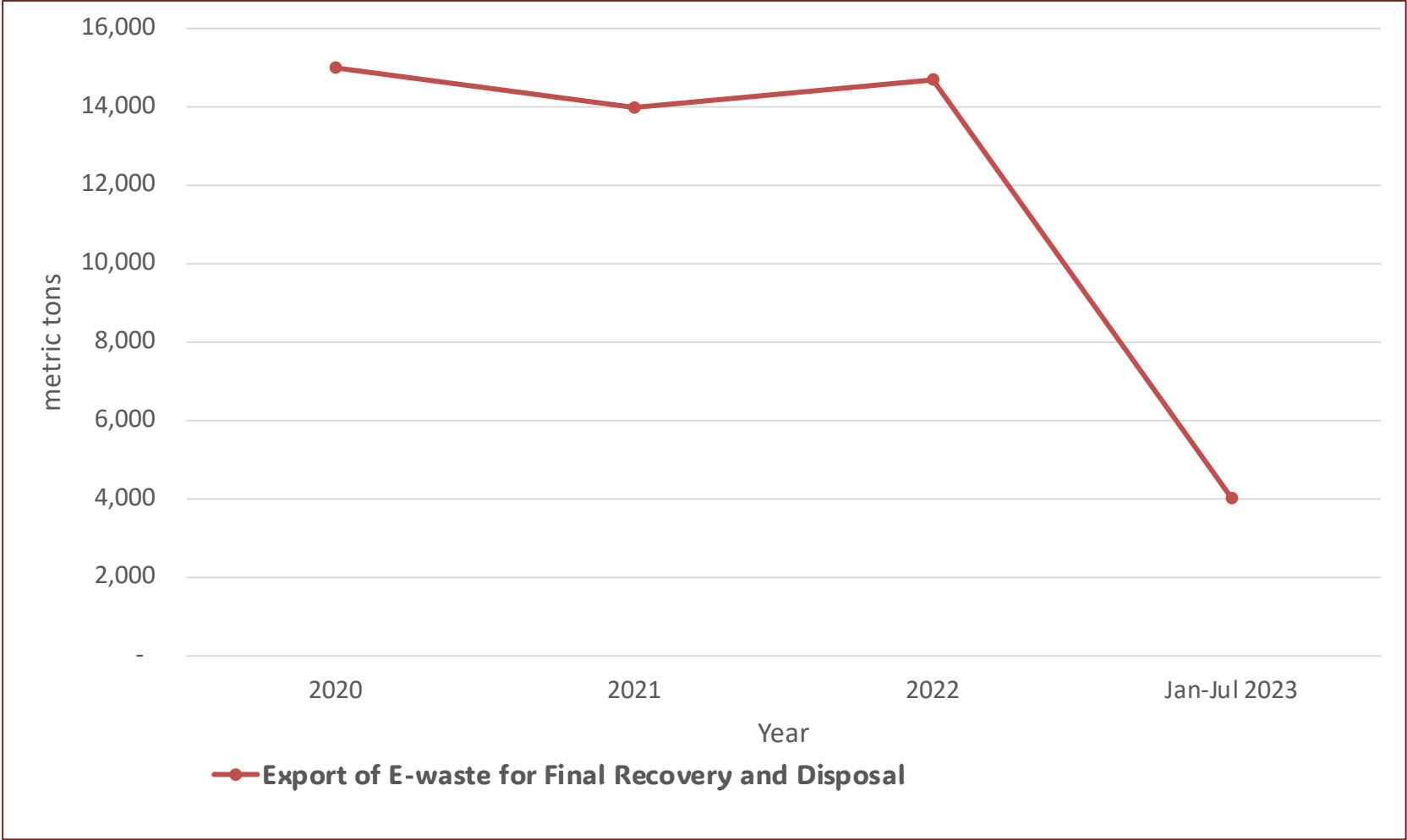
IMPORTED			
	Electronic Assemblies and Scrap (metric tons)	Second-hand EEE (pieces)	Solid plastic materials (metric tons)
Jan-Nov 2023	18,739	98,806	31,500
2022	41,854	818,839	46,536
2021	15,000	656,951	30,950
2020	2,000	358,550	37,350





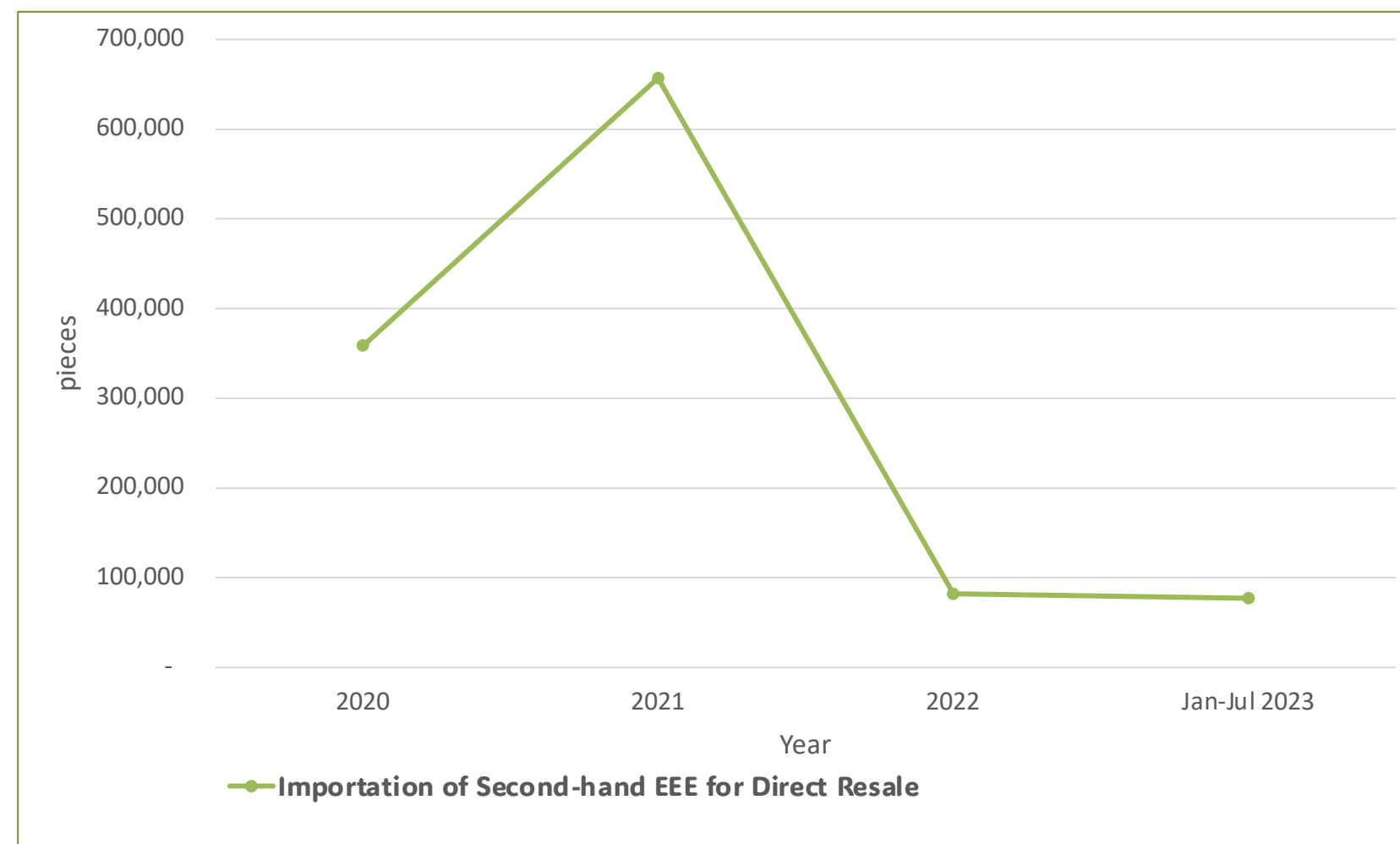
	Importation of Electronic Assemblies and Scrap for Recycling (MT)
2020	2,000
2021	15,000
2022	41,854
Jan-Jul 2023	15,186





	Export of E-waste for Final Recovery and Disposal (MT)
2020	14,994
2021	13,980
2022	14,690
Jan-Jul 2023	4,020





	Importation of Second-hand EEE for Direct Resale (pcs)
2020	358,550
2021	656,951
2022	81,839
Jan-Jul 2023	77,106



4. Response to the amendments of the Basel Convention Annexes regarding Plastic Wastes

(a) Challenges to implement the plastic amendment domestically:

- Difficult to interpret the terminology of the Annexes
- Difficult to coordinate domestically with related authorities and/or industry stakeholders
- 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
- Regulatory Cost due to Notification requirement, PIC may not be implemented across countries

(b) The Philippines has not yet sent notification for export of Y48 plastic wastes since January 2021

(c) The Philippines has not yet received notification for import of Y48 plastic wastes since January 2021



Status of response to the E-waste amendments

- No response needed as it is already sufficient with existing laws and regulations
- Although the E-waste Amendment is not yet ratified in the Philippines, the country has already required PIC for e-waste regardless whether hazardous or not even prior to the amendment. UEEE however still not covered by PIC procedure.


Challenges:

- Difficult to establish new laws and regulations or amend existing laws and regulations
- Difficult to understand the categories of items covered by the new E-waste entries (i.e. equipment, components, waste from processing)
- Difficult to distinguish the new E-waste entry from other existing entries such as wastes listed in the A List in Annex VIII or in B List in Annex IX (e.g. metal scrap, etc.)
- Low awareness of domestic stakeholders, such as importers, exporters or waste recyclers
- Lack of common understanding of regulated items between competent authority and customs authority
- Lack of resources in customs authority
- Lack of information on E-waste treatment/recycling facilities with ESM capabilities
- Lack of E-waste treatment/recycling facilities with ESM capabilities in its jurisdiction
- Not harmonized interpretation and implementation




Identification of type of E-wastes to be covered by A1181, Y49, or other entries

lithium-ion battery (for PC)




☒ Y49 ☐ A1181 ☐ A1170⁴ ☐ B1090⁵
☐ Other code ()

Printed Circuit Board (for CPU, control, power supply)




☐ Y49 ☒ A1181 ☐ case-by-case
☐ Other code ()

Solar Panel (Photovoltaic (PV) Panel)/ Power conditioner




☐ Y49 ☒ A1181 ☐ Other code ()




☐ Y49 ☒ A1181 ☐ Other code ()

Small-size transformers capacitors (electronic component)⁶




☐ Y49 ☐ A1181 ☒ Other code (B1010)

Motor (small-size, for electronic equipment)⁷




☐ Y49 ☐ A1181 ☒ Other code (B1010)

Motors (large-size, for industrial use)



☐ Y49 ☐ A1181 ☒ Other code (B1010)



☐ Y49 ☐ A1181 ☒ Other code (B1010)




Identification of type of E-wastes to be covered by A1181, Y49, or other entries

Large-size transformers/condensers (for industrial use)



☐ Y49 ☒ A1181 ☐ Other code ()

ZORBA⁹=Shredded Nonferrous Scrap
(predominantly Aluminum mixed with copper,
circuit board, zinc, etc.)



☐ Y49 ☐ A1181 ☒ B1010¹¹ ☐ B1020¹²
☐ Other code ()


TWITCH¹⁰=Floated Fragmentizer Aluminum
Scrap (approx. 90% is aluminum scrap)



☐ Y49 ☐ A1181 ☒ B1010 ☐ B1020
☐ Other code ()


Motors from home appliances

Mineral oil inside



☐ Y49 ☐ A1181 ☒ A3020 ☐ A3040
☐ Other code ()


No mineral oil inside



☒ Y49 ☐ A1181 ☐ A3020
☐ Other code ()


Coated wire

Not shredded
(copper grade 20-80%)



☐ Y49 ☐ A1181 ☒ A1190 ☐ B1115³
☐ Other code ()

Metal scrap mixed by a little amount of
plastic



☐ Y49 ☐ A1181 ☐ Y48 ☐ A3210
☒ B1010 ☐ B1020 ☐ Other code ()

Metal scrap mainly consisting of heavy
metals (zinc, lead, stainless steel, brass,
copper, etc.) *Metal grade is approx. 30-90%.



☐ Y49 ☒ A1181 ☐ B1010 ☐ B1020
☐ Other code ()

Miscellaneous nuggets (mainly consisting of
crushed & sorted coated wires (*copper grade
is approx. 90-98%) mixed with aluminum,
brass, or plastics, etc.



☐ Y49 ☐ A1181 ☒ B1010
☐ Other code ()



Criteria (or guidelines) to distinguish wastes to be covered by other Basel entries (e.g., B1010 or B1020 metal and metal-alloy scrap or B3011 plastic waste) from E-waste (Y49 and A1181)

- Visual inspection
- Requesting to submit document which contain relevant information
- Requesting to conduct test about material composition

Important information for evaluation of end-of E-waste status (or guidelines) to distinguish wastes to be covered by other Basel entries (e.g., B1010 or B1020 metal and metal-alloy scrap or B3011 plastic waste) from E-waste (Y49 and A1181)

- Product information (brand name, model number, etc.)
- Source of waste generation
- Pre-treatment process (sorting or crushing, etc.)
- Operator conducting pre-treatment process
- Destination of material/waste (e.g., reuse, recycling or final disposal, etc.)



Discussion theme at the workshop 2023

- Status of Ratification of the E-Waste Amendment by member country in this network
- Have they adopted the Technical Guidelines on the ESM of WEEE in their respective country and the status of compliance both by importer and exporter
- Share information, if there is any, on National or Domestic Guidelines on the ESM of WEEE





MARAMING SALAMAT PO!

Questions? Clarifications?



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