Information about controls for transboundary movements of electrical and electronic waste

As of 1 January 2025, the Decision of the Council on the Control of Transboundary Movements of Wastes Destined for Recovery Operations (<u>OECD/LEGAL/0266</u>) stipulates that each OECD Member country retains its right to control electrical and electronic waste¹ (e-waste) in conformity with its domestic legislation and international law. Member countries agreed to inform the OECD Secretariat about their controls applied for e-waste, as well as about any future changes of such controls, in a timely manner.

This document provides information on the controls submitted by OECD Member countries as at 20 March 2025.

Country	Controls for electrical and electronic waste	Link to domestic resources
Australia	Y49 – green controlled GC010 – green controlled GC020 – green controlled Exports from Australia of Y49, GC010 and GC0202 wastes that are subject to amber control in the country of import are amber controlled by Australia A1181 – amber controlled	Control of e-waste for export, import and transit through Australia - DCCEEW
Canada	Canada is supportive of the Basel Convention Amendments on e-waste. However, Canada submitted a notification to the UN Depository indicating that it is unable to accept the Amendments prior to their entry into force on 1 January 2025. Canada has begun its domestic procedures and will inform the Depositary of their completion in a subsequent note. Some e-waste, including for example, circuit boards and display devices and any equipment containing them, or equipment that contains a listed substance above the regulated threshold are currently controlled when subject to a transboundary movement under certain conditions, as per the Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations.	Regulations: Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (SOR/2021- 25) (<u>English</u> / <u>French</u>)
Chile	Chile will implement Prior Informed Consent Procedure for Electrical and Electronic Waste in line with the E-waste Amendment of the Basel Convention, while is in process of its legal ratification.	

¹ Waste covered by Basel entries A1181 and Y49.

Costa Rica	Costa Rica will apply the PIC procedure to all electrical and electronic waste covered by entries A1181 and Y49.	https://www.ministeriodesalud.go.cr/index.php/tramites/em presas/26-tramites/transporte-de-materiales- peligrosos/1235-movimiento-transfronterizo-de-residuos- peligrosos
Israel	Israel is supportive of the Basel Convention Amendments on e-waste. However, Israel submitted a notification to the UN Depository indicating that it is unable to accept the Amendments on e-waste prior to their entry into force on 1 January 2025. Israel has begun its domestic procedures to ensure that it fully meets the requirements of the BC amendments. Some e-waste is currently controlled as per the Hazardous Materials Regulations (Import and Export of Hazardous Waste), 1994.	https://www.gov.il/en/pages/import_and_export_waste_re gulations https://www.gov.il/en/pages/hazardous_law_1993
Japan	Japan implements the amendments of Annexes to the Basel Convention in relation to electrical and electronic waste (e-waste) under the "Act for the Control of Export and Import of Specified Hazardous and Other Wastes" (the Japanese Basle Act). Ministry of the Environment, Japan has updated the Ministerial Order specifying the scope of e-waste under the Japanese Basel Act and has developed distinguishing criteria to help determine which wastes fall under the new codes (A1181 and Y49) and the existing codes. In principle, for the transboundary movements of e-waste (A1181 and Y49) with the OECD member countries, prior informed consent (PIC) is necessary except for wastes covered by GC010 and GC020. GC010 and GC020 still apply and therefore are subject to green control procedures under the OECD Council Decision.	Criteria for distinguishing import and export of electrical and electronic waste (e-waste) subject to control under the Japanese Basel Act are available from the link below: <u>https://www.env.go.jp/en/recycle/basel_conv/Legal_Frame</u> work_in_Japan/pdf/e-waste_criteria.pdf
Mexico	A1181: Those interested in importing the waste from this entry must request authorization from the General Directorate for the Integral Management of Materials and Hazardous Activities of the Ministry of Environment and Natural Resources (SEMARNAT by its acronym in Spanish), through the process SEMARNAT-07-029 "Authorization for the Cross-Border Movement of Hazardous Waste and other Waste Provided in International Treaties" and to comply with the requirements of the aforementioned procedure, in accordance with the provisions of the General Law for the Prevention and Integral Management of Waste, its Regulations and other applicable provisions. For entry Y49: Mexico decided to apply the Decision BC-15/18 of the Conference of the Parties to the Basel Convention to all countries, in which those countries that import E-waste from Mexico, will be sent a prior notification and consent procedures subject to the PIC procedure (procedure of notification)	SEMARNAT-07-029 "Authorization for the Cross-Border Movement of Hazardous Waste and other Waste Provided in International Treaties" can be accessed at the following address: <u>https://www.gob.mx/tramites/ficha/autorizacion-para-el- movimiento-transfronterizo-de-residuos- peligrosos/SEMARNAT290</u> Also, more information and frequently asked questions can be accessed at the following link: <u>https://www.gob.mx/semarnat/documentos/tramite- semarnat-07-029</u>

New Zealand	Those countries that export E-Waste to Mexico, will require an Authorization for the Cross- Border Movement of Hazardous Waste and other Waste Provided in International Treaties through the process SEMARNAT-07-029, but the implementation of this amendment will be gradually during the first quarter of 2025. As mentioned, Mexico will apply the consent procedure and send a prior notification in the case of export movements to the destination country, also if a Member country involved in the import or export of non-hazardous E-waste controls that waste according to green control, Mexico will still control that waste as amber control for the purposes of that movement. Inquiries about the import and export of Electrical and electronic waste should be made by e-mail to <u>arturo.gavilan@semarnat.gob.mx</u> New Zealand has submitted a notification to the UN Depositary indicating that it is unable to accept the Basel Convention e-waste amendments prior to their entry into force on 1 January 2025. New Zealand has begun its domestic procedures and will update the Depositary in a subsequent note. New Zealand remains supportive of the Basel Convention e-waste amendments. New Zealand implements the Basel Convention and OECD Decision requirements through the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 (Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 (SR 2004/202) (as at 30 August 2024) Contents – New Zealand Legislation).	Inquiries about the import and export of plastic waste should be made from Monday to Friday from 10 a.m. to 3 p.m. at the Citizen Contact Space (ECC), located at: Av. Ejército Nacional 223, Col. Anáhuac, Mexico City. C.P. 11320.
Switzerland	Full implementation of the Basel e-waste amendment → PIC procedure	https://www.fedlex.admin.ch/eli/oc/2024/746/fr https://www.fedlex.admin.ch/eli/cc/2005/551/de https://www.fedlex.admin.ch/eli/cc/2005/714/de https://www.bafu.admin.ch/bafu/en/home/topics/waste/pub
United Kingdom	England, Scotland and Wales (Great Britain) Shipments of e-waste covered by Basel entries A1181 and Y49 between Great Britain and other OECD Decision countries must adhere to the Amber control procedure.	lications-studies/publications/grenzueberschreitender- verkehr-mit-abfaellen.html Great Britain Legislation:

Northern Ireland

Shipments of all e-waste between Northern Ireland and non-EU OECD Decision countries must adhere to the Amber control procedure.

Shipments of all e-waste between Northern Ireland and non-EU non-OECD countries are prohibited.

Shipments of e- waste classified under A1181 between Northern Ireland and EU member states must adhere to the Amber control procedure.

Shipments of e- waste classified under Y49 between Northern Ireland and EU member states must adhere to the Amber control procedure, with the exception that until 31 December 2026, shipments of e- waste classified under GC010 and GC020 between Northern Ireland and EU member states must adhere to the Green control procedure.

Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste

https://www.legislation.gov.uk/eur/2006/1013/contents as amended by The International Waste Shipments (Amendment) Regulations 2024 (2024/1281) https://www.legislation.gov.uk/uksi/2024/1281/contents/ma de

Guidance:

England <u>https://www.gov.uk/guidance/importing-and-</u> exporting-waste-electrical-and-electronic-equipment-weee

Scotland

https://www.sepa.org.uk/regulations/waste/transfrontiershipment-of-waste/

Wales <u>https://naturalresources.wales/permits-and-</u> permissions/waste-permitting/guidance-on-importing-andexporting-waste?lang=en

Northern Ireland

Legislation:

- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste as amended by Commission Delegated Regulation (EU) 2024/3229 <u>https://eurlex.europa.eu/legal-</u>

content/EN/TXT/PDF/?uri=OJ:L_202403229 , and

 Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 as amended by Commission Delegated Regulation (EU) 2024/3230 <u>https://eur-lex.europa.eu/legal-</u> content/EN/TXT/PDF/?uri=OJ:L 202403230

Guidance:

https://www.daera-ni.gov.uk/sites/default/files/2025-01/NIEA%20Guidance%20WEEE.pdf

United States of America	Prior informed consent is required for transboundary movements of electrical and electronic waste and scrap that are both described by Basel entry A1181 and regulated as hazardous waste under the U.S. Resource Conservation and Recovery Act (RCRA).	https://www.epa.gov/hwgenerators/new-international- requirements-electrical-and-electronic-waste
	No prior informed consent is required for transboundary movements of electrical and electronic waste and scrap described by OECD entry GC010 or GC020 or Basel entry Y49, unless the waste and scrap are regulated as hazardous waste under the U.S. Resource Conservation and Recovery Act (RCRA).	
The EU and its 27 Member States + non-EU EEA countries ²	To implement the changes to the Basel Convention regarding electrical and electronic waste ("e-waste") that will become effective on 1 January 2025, the EU has adopted two so called delegated acts to amend the EU Waste Shipment Regulation (WSR) (see precise references below).	https://environment.ec.europa.eu/topics/waste-and- recycling/waste-shipments_en#implementation
	With these amendments to the WSR:	
	 the export of e-waste from the EU to non-OECD countries will be prohibited; 	
	 the export of e-waste from the EU to OECD countries will be subject to the "prior informed consent" procedure; 	
	 the import of e-waste from third countries into the EU will be subject to the "prior informed consent" procedure; 	
	• the shipments of e-waste between EU Member States will be subject to the "prior informed consent" procedure, except for shipments of non-hazardous e-waste classified, where appropriate, under entries GC010 and GC020, which will remain subject to the general information procedure until the end of 2026.	
	These amendments are translated into EU legislation via two delegated acts amending the WSR which:	
	• incorporate into EU law the new entry on hazardous electrical and electronic waste (A1181) agreed under the Basel Convention into the WSR for the purpose of controlling the shipment of such waste between Member States and to and from the EU,	
	 incorporate into EU law the new entry on non-hazardous electrical and electronic waste (Y49) agreed under the Basel Convention into the WSR for the purpose of controlling shipments to and from the EU, 	
	• delete the references to entry B1110 and B4030 in the WSR, as this entry will no longer apply from 1 January 2025,	

² Iceland, Liechtenstein and Norway

	 delete the references to entry A1180, in the WSR, as this entry will no longer apply from 1 January 2025,
	 maintain green-listed entries GC010 and GC020, only for waste shipped within the Union and only until 31 December 2026.
	The two delegated acts are:
	 Commission Delegated Regulation (EU) 2024/3230 of 18.10.2024 amending Regulation (EU) 2024/1157 as regards changes on shipments of electrical and electronic waste agreed under the Basel Convention implements into EU law the abovementioned changes to the Basel Convention's annexes
	 <u>Commission Delegated Regulation (EU) 2024/3229</u> of 18.10.2024 amending Regulation (EC) No 1013/2006 as regards changes on shipments of electrical and electronic waste agreed under the Basel Convention implements similar changes to Regulation (EC) No 1013/2006, which has been repealed by Regulation (EU) 2024/1157 as of 20 May 2024, but which will continue to apply until 21 May 2026 except for certain provisions.
lceland	E-waste will be controlled according to reg. EC 1013/2006 on shipments of waste and reg. EU 2024/1157 on shipment of waste (when entered into force). https://ust.is/atvinnulif/urgangsmal/flutningur-urgangs-milli-landa/
Ireland	ntfso-weee-amendments-notice-v2.pdf
The Netherlands	A large part of controls concerning e-waste deals with the question is the equipment second hand good or waste. In cases the inspector has indications the shipment of equipment might be waste then article 50 of the Waste shipment regulation is applicable. The exporter must supply detailed information on the origin, destination and proof of functionality. For more detailed requirements we refer to Annex 6 of the WEEE-directive 2012/19. In case the equipment fulfils the requirements and is classified as second hand / refurbished equipment the export must be registered at the National WEEE-register.
	If the equipment is classified as waste a determination whether Y48 or A1181 applies will be made. In both cases a notification is required, for export to non-OECD countries the export ban applies. Only in cases the equipment has been dismantled according to Annex VII of the WEEE-directive 2012/19 parts might be classified not as E-waste in case an entry on Annex III(A) is applicable. Shipments of parts of E-waste within the EU might be classified as GC010 or GC020 until 1-1-2027.
	Customs executes yearly some hundred inspections on this equipment / parts of equipment.
	Annex VI: Directive - 2012/19 - EN - EUR-Lex
	National WEEE register: Exporting EEE for reuse abroad – NWR
	ILT-site: Wijziging codes afval van elektrische en elektronische apparaten Afvaltransport EVOA Inspectie Leefomgeving en Transport (ILT)

Norway	Prior informed consent procedure	
	Forskrift om gjenvinning og behandling av avfall (avfallsforskriften) - Kapittel 13. Grensekryssende forsendelser av avfall - Lovdata	