



## A safe way through the compliance maze

The exponential growth of electronic waste has created a pressing need for the responsible management of its disposal – and, in doing so, has spawned a bewildering amount of national and international legislation. Compliance is already paramount, and it is becoming obvious that the situation will become ever more regulated. To get it wrong is to waste valuable time and money, risk severe penalties, and jeopardize an organization’s most valuable asset – its reputation.

### The Legislative Maze

Constantly evolving legislation and import/export regulations vary widely from one country to the next and create an incredibly complex regulatory landscape.



Within the European Union, the Waste Electrical and Electronic Equipment (WEEE) directive is still somewhat inconsistent due to differences in implementation and interpretation at the country level. There is also often a world of difference between the EU and neighbouring countries.

In Asia, the legislative schemes are more complex. China, for example, has banned the import of all hazardous waste and cracked down aggressively on illegal shipments. Exporting from China can be complex as well: any hazardous material generated within its 11 current Free Trade Zones (FTZs) must be exported, using difficult-to-obtain permits, to a country with the necessary infrastructure to process it.

Moving e-waste from one country to another is often necessary for any number of factors. The stark reality, however, is that any transboundary movement of e-waste can be problematic, time-consuming, and risky. The pitfalls are magnified for multinational organizations with large supply chains.

### The Basel Convention

The **Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal** aims to control cross-border movements of hazardous wastes and prevent them from being traded freely like ordinary commercial goods.

Its notification and approval process is complicated to say the least. Obtaining the necessary Basel permits is a long and difficult process that can take years. It is mandatory for all countries that are signatories of the Basel Convention to report all shipments, and tracking documents monitor each one to ensure compliance.

All illegal shipments are reported on the convention’s website, and breaches are subject to serious sanctions. Interestingly, the penalties and sanctions are laid down not by the Basel Convention, but by national legislation – which can vary widely. In some countries, this goes beyond civil proceedings and associated fines and into the criminal code with the potential for prison sentences.

This places an inherent legal mandate on any organization moving e-waste across country borders to be intimately familiar with the regulations of all countries involved.



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## Let TES be your guide



### What you need to consider

- The different types of e-waste classifications make things even murkier. While the Basel Convention provides guidance, it is up to the competent authority of each country involved in the import, export, and/or transit of e-waste to determine the classification of items. This includes determining if assets need to be tested prior to shipment to prove they are not classified as waste.
- It is incumbent upon the **owner** of the exported material to validate that their partner has the correct permits and the local compliance resources in place to guide them through the process.
- Every transboundary shipment raises serious questions to think through: What can/can't you export/import? What volume limitations are imposed? What are the transport requirements? What regulatory agencies are involved? How do you complete the required paperwork? Do assets need to be tested prior to shipment? Can you avoid delays/penalties during the process?



### How can we help?

- TES has localized relationships with regulatory authorities worldwide; a recycling infrastructure that lowers our clients' risk profile; compliance representatives at each site; and a deep understanding of local language, culture, and compliance nuances.
- Transboundary movement of e-waste demands a guide with hands-on experience in the types of documents required, and with available logistics solutions, compliant permits, and an understanding of the differences and conflicts in import/export rules.
- TES has the resources, expertise, permits, and established processes to effectively manage for our clients the many risks in this arena. We currently hold over 30 permits for transboundary movements of e-waste around the world (including China's FTZs).



### Let TES be your guide

- As a steward of the environment, we invest heavily in research and technologies to ensure that our facilities use state-of-the-art equipment to maximize resource recovery and keep e-waste out of landfill sites.
- Underpinning our commitment to act in an environmentally responsible manner right across our business is TES's **Environmental, Health, and Safety Management System (EHSMS)**. It is the foundation we leverage to safely, securely, and properly manage the flow of materials through all our 30+ owned and operated facilities worldwide.
- Our global reach gives us a local presence and, with it, a priceless insight into the nuances of regional and national compliance issues.

Please contact us to discuss your needs in more detail.

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