

Swiss Federal Office for the Environment
(FOEN)

ORDINANCE ON THE RETURN, THE TAKE BACK AND THE DISPOSAL OF ELECTRICAL AND ELECTRONIC EQUIPMENT (ORDEE)

of 14 January 1998 (state 23 August 2005)

**Please note:
This translation is for your convenience.
It is not legally binding.**



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**Ordinance
on the return, the take back and the disposal of electrical and electronic equipment
(ORDEE)**

of 14 January 1998, state 23 August 2005

The Swiss Federal Council

in pursuance of Articles 30*b*, 30*c* Paragraph 3, 30*d* Letter a, 30*f*, 30*g*, 30*h* and 39 Paragraph 1 and 46 paragraph 2 of the Law on the Protection of the Environment of 7 October 1983¹ (LPE) as well as in execution of the Basel Convention of 22 March 1989² on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,

ordains:

Section 1: General provisions

Art. 1 Purpose and Area of Application

¹ This Ordinance is to ensure that waste electrical and electronic equipment (WEEE):

- a do not enter municipal waste;
- b are disposed of in an environmentally sound manner.

² It governs the return, the take back and the disposal of WEEE;

³ The regulations of the Ordinance of 22 June 2005³ on the Movements of Wastes and the Ordinance on Ordinance on Risk Reduction related to Chemical Products of 18 May 2005⁴ are reserved.

Art. 2 Definitions

¹ Equipment covered by this Ordinance are electrically powered:

- a consumer electronics equipment;
- b office, IT and communication technology equipment;
- c household appliances;
- d lighting equipment;
- e lamps (without incandescent lamps);
- f tools (except large-scale stationary industrial tools);
- g sport and leisure appliances as well as toys;

² The requirements of this Ordinance apply also to electronic components of equipment listed in Paragraph 1 as well as PCB⁵ containing capacitors in lighting fixtures.

³ The Federal Office for the Environment can, after consultation with the affected economic sectors, publish a guideline containing a list of the equipment.

¹ SR 814.01

² SR 0.814.05

³ SR 814.610

⁴ SR 814.81

⁵ PCB: polychlorinated biphenyls

Section 2: Return, Take Back and Disposal**Art. 3 Mandatory Return Obligation**

A person who disposes of WEEE shall return WEEE to a trader, manufacturer or importer or to a disposal facility. The return is also permissible to a public WEEE collection, or to a WEEE collection point.

Art. 4 Mandatory Take Back Obligation

¹ Traders must take back free of charge WEEE of the type they normally sell. For retailers the obligation to take back WEEE free of charge is only in respect of end consumers.

² Manufacturers and importers must take back free of charge WEEE of the brands manufactured or imported by them.

³ Traders who sell equipment only on to other traders, as well as manufacturers and importers, may commission third parties to take back WEEE.

⁴ The obligation for take back under Paragraphs 1 and 2 is not applicable to electronic components of equipment.

⁵ Retailers must take back WEEE, at all selling points throughout their entire opening hours.

Art. 5 Mandatory Disposal Obligation

¹ Person responsible for take back WEEE shall dispose of the WEEE that they do not reuse or do not pass on to other persons who have to take back WEEE. They may commission third parties to dispose of the WEEE.

² Person who is responsible for the take back of WEEE and who does not guarantee the disposal of it through financial contributions to a private organization, must:

- a dispose of the WEEE, received, at his own expense;
- b clearly and prominently indicate at his selling points that he takes back WEEE; and
- c keep an inventory of the number of equipment sold and taken back as well as keep receipts which document that he has passed on the WEEE for disposal; the Swiss Agency (SAEFL) and the Cantons respectively must upon demand be granted access to these documents for the last five years.

Art. 6 Requirements for the Disposal

Person who dispose of WEEE shall guarantee that the disposal is done in an environmentally sound manner, according to state-of-the-art technology; in particular:

- a components containing hazardous substances such as nickel-cadmium accumulators, switches containing mercury, capacitors containing PCB, and thermal insulation containing CFC must be disposed of separately;
- b cathode ray tubes as well as metal-containing components such as printed circuit boards, metal casings, metal frames, high metal content cables and plug devices, shall be recycled, insofar as this is commercially viable;
- c organic chemical components which are not recycled such as plastic casings, cable insulation or epoxy plates, must be incinerated in appropriate facilities .

Art. 7 – 11 Deleted

Section 3a Implementation

Art. 11a

¹ The Cantons shall implement this Ordinance, except where the implementation must be carried out by the Federation.

² In the event of Federal authorities implementing other Federal laws or international law agreements or resolutions which affect aspects of this Ordinance, they thereby shall also implement this Ordinance. For the cooperation of the Federal Office and the Cantons Articles 41 Paragraphs 2 and 4 LPE shall apply; legislative secrecy obligations remain reserved.

Section 4: Final Provisions

Art. 12 Deleted

Art. 13 Entry into Force

This ordinance enters into force on 1st July 1998.