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Document Name	Kemtek E-Waste Policy Statement		

KEMTEK IMAGING SYSTEMS PTY LTD (hereinafter Kemtek/producer) E-WASTE POLICY STATEMENT

Kemtek is obliged by the Extended Producer Responsibility (EPR) Regulations to register with the Department of Forestry, Fisheries and Environment (DFFE), as an importer of electronic equipment. Kemtek must also ensure that all identified products are covered by an EPR Scheme.

Under these EPR regulations, legislated for implementation from 5 November 2021, Kemtek is legally mandated to manage the products that we place on the market at end-of-life. To do this, we will sign up with registered Producer Responsibility Organisations (PRO's) who will grow the downstream reuse and recycling of the products placed on the market, to achieve the published legislated targets.

Kemtek thus needs to determine the weight and dimensions of the electronic equipment imported and sourced locally and is turning to its principals for support in this matter. The types of packaging that accompany the products imported will also need to be determined and their weight contribution understood.

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1. Purpose of Extended Producer Responsibility

Extended producer responsibility (EPR) is an environmental protection strategy aimed at decreasing total environmental impact from a product and its packaging, by ensuring that the producers of the product take responsibility for the entire lifecycle of the products especially in the take-back, recycling, and final disposal of the products, including its packaging. The primary responsibility of EPR lies with the producer (Kemtek), who makes designs and marketing decisions.

Definition of a producer – “means any person or category of persons, including a brand owner, who is engaged in the commercial manufacture, conversion, refurbishment (where applicable) or import of new or used identified products as identified by the Minister by Notice in the Government Gazette in terms of section 18(1) of the Act, and a producer includes, where relevant, the same as defined in the specific section 18 Notice for each of the identified products as gazetted by the Minister in terms of section 18(1) and (2) of the Act. ”

2. Implementation of the regulations

On 5 November 2020, the Extended Producer Responsibility (EPR) Regulations as well as a Notice to the Waste Electrical and Electronic Equipment (WEEE) sector in which Producer’s legal obligations in relation to WEEE was published.

On 5 May 2021, amendments to the Regulations and notices regarding Extended Producer Responsibility were published. The Regulations are therefore effective from 5 May 2021 and the revised date for final compliance is 5 November 2021.

2022 will be Year 1 of the EPR scheme implementation, reporting and targets.

For a list of waste management legislation and policies applicable to the Extended Producer Responsibility Regulations in South Africa, see Pt. 8 below.

3. Responsibilities of producers

An existing producer, must by **5 November 2021**, register with the Department of Forestry, Fisheries, and the Environment. This can be done via the South African Waste Information Centre (SAWIC). (**DFFE Section 18 (environment.gov.za)**). (**<http://sawic.environment.gov.za/epr/>**).

The producer of a product or class of products, must-

- a) establish and implement an extended producer responsibility scheme, or
- b) join another extended producer responsibility scheme, or

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- c) appoint a producer responsibility organisation to establish and implement an extended producer responsibility scheme that includes the entire value chain;
- d) be accountable for the operation and performance of their extended producer responsibility scheme;
- e) conduct a life cycle assessment, in relation to the identified product, in accordance with the applicable standards within 5 years of implementation of their extended producer responsibility scheme;
- f) collaborate as producers of an identified product and in consultation with the Department responsible for Trade, Industry and Competition, to develop a broad - based black economic empowerment transformation charter with targets, timelines and implementation measures, within two years of the publishing of the Notice.
- g) where specified in the section 18(1) Notices, implement mandatory take back of their identified products at the end of their lives; and
- h) implement environmental labels and declaration for the identified products in accordance with SANS 14021 and SANS 14024 within a period of 3 years.

4. Obligations of PRO's that establish schemes

The producer responsibility organisation must-

- a) Develop and maintain a system to collect the EPR fees;
- b) Maintain a register of its members;
- c) Conduct internal and external financial audits and submit to the Department;
- d) Collect, record, manage and submit data to the South African Waste Information System;
- e) Contract with the downstream value chain for services needed and ensure that the contracting process is fair and transparent.

The PRO together with their members must determine the EPR fee and apply the fee proportionally to all members based on the identified products placed on the market. The latest EPR fee must be publicly available on the PRO website.

5. What does Kemtek require?

For electronic products: -

- a) The weight and dimensions of the electronic product;
- b) Classification of the product: -
 - HS-Code

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- Details regarding whether the product includes a battery and whether the battery can easily be removed.
 - Batteries are considered hazardous
 - Devices where the battery is not removable is considered high hazardous
- c) The weight of all the different types of packaging in which the product is packed.

These include:

- paper,
- cardboard,
- polyethylene terephthalate, (PET),
- low-density polyethylene (LDPE),
- linear low-density polyethylene (LLDPE),
- high- density polyethylene (HDPE),
- polypropylene (PP),
- polystyrene (PS),
- polyvinyl chloride (PVC).

6. Identified products or class of products:

Extended producer responsibility applies to the following identified products or class of products:

- a) Large equipment (any external dimension more than 100 cm);
- b) Medium equipment (any external dimension between 50 and 100 cm);
- c) Small equipment (no external dimension more than 50 cm); and
- d) Batteries.

7. Definitions

Words or expressions to which a meaning has been assigned in the Act and in the Extended Producer Responsibility Regulations 2020, and as amended.

- a) **"brand owner"** means a person, category of persons or company who makes and/or sells any identified product under a brand label;
- b) **"principal"** means a person, category of person or company who supplies products to Kemtek for further onward selling;
- c) **"extended producer responsibility"** means that a producer's responsibility for an identified product is extended to the post -consumer stage of an identified product's life cycle;
- d) **"electrical and electronic equipment"** means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation,

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transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1 000 volts for alternating current and 1 500 volts for direct current;

- e) **"extended producer responsibility scheme"** means a system that puts into effect obligations under which producers take accountability in implementing extended producer responsibility;
- f) **"Identified products"** means products that are identified in terms of section 18(1)(a) of the Act and published in the Government Gazette by the Minister;
- g) **"importer"** means a person or category of persons who brings identified products or items that contain identified products into the country from abroad and including but not limited to the one that first places them into the market for sale;
- h) **"packaging"** means any material, container or wrapping or corrugated cases, used for the containment, transport, handling, protection, promotion, marketing or sale of any product or substance, which may be primary packaging, containing the actual product or secondary packaging or tertiary packaging, typically containing products already packaged in primary packaging, but excludes:
 - shipping containers used solely for the transportation of any consumer commodity in bulk to manufacturers, packers, or processors, or to wholesale or retail distributors thereof;
 - packaging made of timber and textile; and
 - plastic pallets and industrial bulk containers with a capacity exceeding 1000 litres;
- i) **"paper"** means any substance made from wood pulp, rags, straw, or other fibrous material used for writing, printing, or as a wrapping material;
- j) **"producer"** means any person or category of persons, including a brand owner, who is engaged in the commercial manufacture, conversion, refurbishment (where applicable) or import of new or used identified products as identified by the Minister by Notice in the Government Gazette in terms of section 18(1) of the Act, and a producer includes, where relevant, the same as defined in the specific section 18 Notice for each of the identified products as gazetted by the Minister in terms of section 18(1) and .(2) of the Act; "
- k) **"producer responsibility organisation, PRO"** means a not-for-profit organisation established by any person operating in any of the industrial sectors covered in this Notice to support the implementation of their extended producer responsibility scheme.

8. The regulations

- National Environmental Act: Waste Act (2008)
- National Environmental Management: Waste Amendment Act (2014)
- Regulation No. 720 - Proposed Extended Producer Responsibility Electronic Equipment



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(Gazette 43483 – 26 June 2020)

- Regulation No.1184 - Regarding Extended Producer Responsibility (Gazette 43879 - 5 November 2020)
- Regulation No. 1185 – Extended Producer Responsibility Scheme for the Electrical and Electronic Equipment Sector (GG 43880 – 5 November 2020)
- National Environmental Management Act 98 of 2009 Amendment of Regulation and Notices Regarding Extended Producer Responsibility, 2020 (Gazette 44078 – 15 January 2021)
- Regulation No.1187 - Extended Producer Responsibility _ Paper, Packaging (Gazette 43882 - 5 November 2020)
- Regulation No. 400 – Amendments to regulations and Notices regarding EPR 2020 (Gazette 44539 5 May 2021)

9. Contact Information

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