

Convention on Recycling

Electrical and Electronic Equipment

The signatories to this Convention undertake to adopt ecologically responsible measures as part of their corporate tasks by way of the following four strategies:

1. Avoiding waste by way of reuse;
2. Reducing pollutants in manufacturing operations;
3. Reusing and recycling waste by way of recycling components or recoverable materials;
4. Disposal of residual substances using environmentally compatible methods.

It is envisaged that full responsibility for products is taken at all the stages of the product life cycle (from product development to the disposal of residual materials).

The Convention aims to provide the trade and consumers with a cost-effective, reliable and pre-financed recycling option for used electrical and electronic equipment. It is based on the original costs incurred, it is not profit-oriented and furthermore it complies with all the conditions laid out in ORDEA (Regulation on the Return, Taking Back and Disposal of Electrical and Electronic Equipment).

The signatory companies undertake to implement the following measures and abide by the provisions of this Convention.

Signing up to the Convention on Recycling Electrical and Electronic Equipment

1. Signing up to the Convention is open to all companies that manufacture electrical and electronic equipment, which is subject to the ORDEA, in Switzerland or the Principality of Liechtenstein, or export such products to these countries.

General obligations on the part of Signatories

2. In the case of product development and product selection for the sales range, preference is given to environmentally friendly and resource-conserving materials and products.
3. Signatories can call on the services of a company-own or commissioned service organisation, with a spare parts store, to ensure that the machines are operable during the service life customary in this sector.
4. The Signatories shall support the Environmental Commission in the case of soliciting new Convention signatories.

Taking back used equipment and packaging material

5. When new equipment is sold, manufacturers and the trade take back free of charge the packaging material used for new equipment, as well as used equipment (including other brands) of the same kind and quantity (normal case).

The obligation to take back all kinds of equipment, free of charge, i.e. those in a manufacturer's/importer's/dealer's product range, applies in accordance with ORDEA even if no new equipment is sold.

Reuse

6. The trade and manufacturers are responsible for the reuse of equipment and parts. Equipment and parts that have passed through the SWICO Recycling System are not passed on to the second-hand trade.

Recycling and controls

7. Used equipment or parts thereof are recycled or professionally disposed of.
8. The SWICO Environmental Commission shall draw up a list of recycling partners that have entered into an appropriate contract with SWICO and which guarantee professional disposal operations in accordance with statutory provisions and the norms specified in the SWICO Recycling Guarantee regulations. Used equipment that cannot be re-used may only be disposed of via these SWICO contracting parties.

Financing / advance recycling fee

9. The cost of taking back products and packaging, recovering recyclable materials and professionally disposing of residual substances is covered by an advance recycling fee (ARF) on new equipment.
10. The importer/manufacturer charges the ARF as a fixed amount on each piece of delivered new equipment/new components in accordance with the official SWICO ARF tariff. The amount of the specified ARF is binding for all Signatories. It may be adjusted in line with requirements once a year on 1 January or 1 July by giving three months' advance notice.

In special cases, and following consultation with the SWICO Environmental Commission, the ARF may also be calculated by way of a percentage of sales, or in the form of an annual flat-rate amount.

To cover the administrative costs, each Signatory undertakes to pay a minimum ARF levy of CHF 500.00 each year.

Managing the ARF account

11. The Convention signatories deposit the collected ARFs in the joint account of their product division within the SWICO scheme and consequently make their financial contribution to the system's ongoing recycling costs in accordance with the ORDEA requirements. Special provisions that are stated in the Practical Guideline apply to the A-Signatories (Signatories that operate their own recycling organisation).
12. In the Practical Guideline and the Control Sheet the SWICO Environmental Commission specifies the expenses the signatories may state in the ARF account. The funds may not be used for other purposes.
13. The signatories state their income and expenses on the control sheet, which is sent to the SWICO Environmental Commission on a six-monthly basis. If the ARF income exceeds CHF 15,000.00 per year, the signatories have the data confirmed by their external trust agencies. In the case of income below this figure, the SWICO Environmental Commission may, at its own cost, have the data reviewed by an external trust company.
14. The SWICO Environmental Commission co-ordinates the joint interests and tasks arising from this Convention. It is made up of representatives of the signatories and is independent of the disposal companies' control offices and the finance control departments. A special regulation applies to the Environmental Commission in accordance with the SWICO association articles of incorporation.
15. The Environmental Commission or rather its office is financed by way of a percentage of the imposed ARF.

Safety fund

16. SWICO maintains a safety fund to cover costs and losses (e.g. in the event of the insolvency of a Convention Signatory or a business partner, in the event of breach of contract by a collection point, a commissioned transport company or a recycling company etc.) and to maintain the liquidity of the SWICO Recycling Guarantee in the case of unforeseeable events. The Environmental Commission has been assigned the task of managing all the transactions regarding the safety fund. It decides, in particular, on the scope of contributions to the fund and investment of the fund money. The fund money is invested with at least 95% capital protection. The Environmental Commission makes proposals to the Convention Signatories on how to use the fund money. If at least [30%] of the Convention Signatories have not filed an application for a vote within the period specified by the Environmental Commission, such a proposal is deemed authorised by the Convention Signatories. In the event of a vote, the Convention Signatories present decide, by way of the simple majority, on the Environmental Commission's proposal on using the fund money. Liquidation of the safety fund would, in any case, require a unanimous resolution passed by all Convention Signatories. In the event of liquidation, the fund money shall be reimbursed [proportionate to the contributions paid by the Convention Signatories last year].

Coming into force / termination

17. This Convention came into force on 1 April 1994 and can be terminated by way a majority resolution adopted by the Convention signatories by serving six months' notice to take effect at the end of a calendar year. Individual signatories may withdraw their participation in the Convention six months after having informed the SWICO Environmental Commission in writing to take effect at the end of a calendar year.

Exclusion

18. Companies shall only be deemed signatories if they satisfy all the items of this Convention. Companies that clearly violate the Convention regulations may be excluded by way of a majority resolution adopted by the Convention signatories following an application filed by the Environmental Commission.

Enclosure that is an integral part of this Convention:
"Practical Guideline for the SWICO Convention"