

264./2004 (IX.23.) governmental decree on taking back wastes of electric and electronic equipment

Based on authority given in paragraphs 8.§.(2) and 59. §. (1) b) of the law XLIII/2000 on waste management (further: Hgt.) and on authority given in paragraphs 110 § (7) d) of the law LIII/1995 on general rules of environment protection the Government orders the followings:

Effectiveness of decree

1.§

- (1) Effectiveness of decree covers the followings:
- a) electric and electronic equipment falling in categories defined in A) of Enclosure No.1. (further: category of electric equipment),
 - b) wastes derived from these ones, and
 - c) connected with these wastes the taking back, collecting, utilising and disposing activities.
- (2) Effectiveness of this decree does not cover: defence and national security purposed electric and electronic equipment and such electric and electronic equipment, which is a component or spare part of another equipment not covered by this decree.

Determination of terms

2. §.

In application of this decree:

- a) electric and electronic equipment:* such equipment operated by maximum alternative voltage of 1000 V or direct voltage of 1500 V, intended operation of which depends on electro-magnetic fields or electric current, including also equipment producing, measuring, transmitting electro-magnetic field or electric current (further: electric equipment);
- b) household electric equipment:* such equipment specified in B) of Enclosure No.1., including its commercial, industrial, institutional application as well, (further: household equipment);
- c) historic waste:* such waste, which is derived from equipment manufactured before 13 August 2005.
- d) import:* electric equipment is transported on the area of Republic of Hungary for commercial purpose through the customs border of the European Community;
- e) export:* electric equipment is transported out for commercial or other purpose through the customs border of the European Community;
- f) manufacturer:* a manufacturer specified in 3 §.e) of Hgt. including distributor or any other distributor working under own trade mark with electric equipment produced by another manufacturer, excluding if name of original manufacturer is indicated on electric equipment;
- g) trader:* such a distributor, who sells electric equipment to customer;
- h) partly reuse:* reuse of any component of waste derived from electric equipment for original purpose.

Taking back, collection, utilisation and disposal obligations of manufacturer

3. §

- (1) Manufacturer is obliged to – with exception those contained in the paragraph (2):
 - a) take back waste derived from electric equipment distributed by him,
 - b) take back history waste derived from household equipment
 - c) take back history waste not derived from household equipment, replaced by a new, same or same function product (taking back obligation).
- (2) Manufacturer can refuse taking back of electric equipment if fulfilment of taking back, collection and utilisation obligation means serious risk to human health and environment.
- (3) Manufacturer is obliged to ensure collection of waste derived from household equipment by category of electric equipment in extent of at least as specified in table A of the Enclosure No. 2 of this decree (collection obligation).
- (4) Manufacturer – when fulfilling collection obligation – (except the year 2008) can perform 2% less than specified in table A of the Enclosure No. 2 of this decree for a given year.
- (5) If manufacturer performed less than specified in the above paragraph (4) as collection ratio defined for a given year determined in table A of the Enclosure No. 2 of this decree then in the following year the volume of electric equipment became waste to be collected will be increased by difference of the volume of collection obligation of the given year and actually collected volume in the given year.
- (6) Manufacturer determines himself the volume of waste to be collected for the given year on the base of those contained in the paragraph (3) and (5) by electric equipment category till 20th February of the given year.
- (7) If manufacturer establishes and operates collection area – or several manufacturers commonly established collection area – as independent site or collection area within a site where waste derived from electric equipment is stored, prepared for further reuse, utilisation or disposal before utilisation or disposal is made, he will be obliged to obtain permit of environmental authority.
- (8) Manufacturer cannot require any charge for taking back from trader or customer, however he can pay for it in order to motivate taking back. If electric equipment does not include basic components specific for the given electric equipment then the manufacturer will be obliged to take back waste, however can charge fee proportional with costs of treatment.

4. §.

- (1) Manufacturer is obliged to ensure utilisation and reuse of collected and taken back waste by equipment category at least in extent proportionally with utilisation and reuse ratio according to table B of the Enclosure No. 2 of this decree (utilisation obligation).
- (2) Partly reuse of electric equipment shall be taken into account in reuse ratio.
- (3) Fulfilment of utilisation obligation also means when wastes derived from electric equipment are utilised in other member states of the European Community, or utilisa-

tion made in the European Community, confirmed by delivery note specified in a separate law on supervision and control of waste transport done there and back.

- (4) Utilisation purposed export of wastes derived from electric equipment is only qualified for fulfilment of utilisation obligation if certified by exporter with accompanying documents – based on separate law on supervision and control of waste transport done there and back, in the European Community – that activity concerning utilisation and reuse in the given country meets requirements those contained in this decree.
- (5) Full reuse of waste derived from electric equipment will have priority, however full reuse of electric equipment became waste till 31 December 2008 is not qualified for fulfilment of utilisation obligation.

5.§

Manufacturer is obliged to ensure disposal of taken back, collected and not utilised waste in accordance with specifications of Hgt. (disposal obligation).

6.§

Fulfilment of obligations determined in the above paragraphs 3-5 is controlled by National Environment- and Watering Chief Inspectorate (further: Chief Inspectorate) based on a separate law.

Transfer of taking back, collecting, utilising and disposing obligations of manufacturer

7.§

- (1) Manufacturer can transfer – partly or fully – fulfilment of his taking back, collection, utilisation and disposal obligations as specified in this decree:
 - a) to receiver, defined in paragraph 8, or
 - b) to organisation co-ordinating treatment defined in 11 § of Hgt., exclusively established for this purpose (further: co-ordinating organisation).
- (2) Receiver and co-ordinating organisation will have to apply rules concerning manufacturer in term of transferred obligation.

8.§

- 1) Receiver can be anybody – except those contained in the paragraph (2) - who has valid authority permit needed to making transferred activity and qualification specified in a separate law or employs such an expert for this activity,
- 2) Receiver cannot be who in his operation has had any infringement of law for three years proved by court in accordance with requirements of law of environment protection.

9.§

- 1) Agreement made between manufacturer and receiver shall contain the identification of the transferred obligation, volume and category of the affected electric equipment, description of activity of the receiver connected with fulfilment of the transferred obligation.

- (2) Manufacturer will have to submit the signed agreement to Chief Inspectorate for approval.
- (3) Manufacturer is obliged to report any modification and termination of agreement to Chief Inspectorate within 15 days from their occurrence.
- (4) Chief Inspectorate approves the submitted agreement and its modification within 30 days if its content meets requirements specified in paragraph (1).

Recording of manufacturer and co-ordinating organisation

10. §

- 1) Manufacturer and co-ordinating organisation is recorded by Chief Inspectorate.
- 2) Manufacturer – except those contained in paragraph (3) 19 § - is obliged to submit a request for recording to Chief Inspectorate – with data content defined in the Enclosure No. 5 of this decree – at least till beginning distribution of electric equipment.
- (3) Within 8 days after establishment the co-ordinating organisation is obliged to submit a request for recording, in which identification data (name, seat, tax number) and sphere of activity shall be advised. Copy of general rules or establishing document, certified documents of valid registration of court, draft of business rules – including general conditions of contract – and identification data of members of the co-ordinating organisation (name, seat, tax number) shall be attached to the request.
- (4) Chief Inspectorate will record co-ordinating organisation for two years first time, which can be prolonged for further five years and several times if the co-ordinating organisation meets requirements those contained in this decree.
- (5) Such co-ordinating organisation can be recorded,
 - a) which is qualified for public organisation as per separate law on public organisations,
 - b) services of which can be used by anybody in case fulfilment of conditions specified in its foundation document,
 - c) which has basic capital needed to basic activity at least 75 million HUF,
- (6) Co-ordinating organisation can begin its activity after recording has been made.
- (7) Manufacturer and co-ordinating organisation is obliged to report any changes occurred in the reported data to Chief Inspectorate within 15 days.

11. §

- (1) Chief Inspectorate – except those contained in paragraph (4) 19. § – will decide on recording and issue recording number to manufacturer and co-ordinating organisation within 30 days from date of request.
- (2) Chief Inspectorate will reject request of co-ordinating organisation for recording if it does not meet requirements those contained in paragraph (5) 10. §.
- (3) Chief Inspectorate will delete manufacturer from records if it stops production of electric equipment or co-ordinating organisation if conditions of recording defined in paragraph (5) 10. § are not met.

Control of data supply of manufacturer

12. §.

Chief Inspectorate can control those contained in data supply. Upon control the documents purposed for data supply shall be provided by audited manufacturer to representative of Chief Inspectorate.

Information supply obligation of manufacturer

13.§

- (1) Manufacturer is obliged to inform trader and consumer on taking back and collection obligation concerning electric equipment (information supply obligation).
- (2) Manufacturer is obliged to place the followings – on electric equipment produced after 13 August 2005 – on packaging of electric equipment if it is not possible on the product, well visibly and in not removable manner:
 - a) figure indicated in enclosure No. 3 of this decree,
 - b) exact identification of manufacturer, and
 - c) reference to the fact that electric equipment was made after 13 August 2005.
- (3) Manufacturer is obliged to inform user of electric equipment in Hungarian language on the followings:
 - a) what hazardous impacts are caused by wastes derived from electric equipment if those are not treated in accordance with concerned environmental specifications,
 - b) if electric equipment contains a component with hazardous waste nature,
 - c) electric equipment cannot be disposed together with municipal solid wastes, separate collection is needed, which is indicated in the figure of Enclosure No. 3 of this decree,
 - d) in term of separate collection taking back and collection system is available,
 - e) what role can be undertaken by activity of user in reduction of volume, reuse, utilisation and other ways of re-processing of wastes derived from electric equipment.
- (4) Manufacturer is obliged to provide technical documentation, instructions of use concerning determination of components and raw materials, content of hazardous material of electric equipment, obligation connected with utilisation and disposal within one year from distribution of electric equipment to receiver, treatment co-ordinating organisation and body making utilisation.

Obligations of trader

14.§

- (1) When selling new household equipment the trader – at least with a selling area of 35 m², in case selling only information (IT) and telecommunication equipment at least 25 m² – is obliged to take back from the customer the used household equipment of same primary purpose and quantity recommended by the customer. Trader exclusively dealing with selling mobile phones – independently from ground floor of selling area – is obliged to take back the used equipment of same primary purpose and quantity.
- (2) The trader cannot have right to require any charge when fulfilling taking back obligation, however he can pay charge to motivate the customer.
- (3) Manufacturer – based on taking back obligation – is obliged to take back quantity of household equipment defined in the contract made between him and the trader and volume taken over by the trader as contained in paragraph (1).

Expenses connected with fulfilment of obligations of taking back, collection, utilisation and disposal

15.§

- (1) Manufacturer bears taking back, collection, utilisation and disposal expenses of
 - a) waste derived from electric equipment manufactured by him,
 - b) history waste derived from household equipment,
 - c) waste not derived from household equipment replaced by new, same or same function product.
- (2) Owner of history waste not derived from household equipment if electric equipment becoming waste is not replaced by new, same or same function equipment is obliged to dispose equipment becoming waste at adequate collection site and to pay its utilisation, disposal expenses.

Obligation of guarantee providing

16.§

- (1) The manufacturer will have to provide guarantee for fulfilment of taking back, collection, utilisation and disposal obligation for household equipment. Extent and calculation method of guarantee is determined by Enclosure No. 4 of this decree.
- (2) Those manufacturers, who will make activity covered by this decree on 31 December of the preceding year, will have to provide guarantee till 20 February of the given year for the mentioned year.
- (3) Those manufacturers, who starts activity in the year, will be obliged to pay monthly guarantee.
- (4) Form of guarantee can be a separated deposit or a contract made with an insurance company or a bank (for purpose contained in paragraph (1)).
- (5) Manufacturer can use guarantee of the given year in agreement with Chief Inspectorate if he fulfilled his taking back, collection, utilisation and disposal obligation of the given year and submitted data supply as specified in a separate law.
- (6) Manufacturer can initiate use of guarantee of the given year together with submitting data supply defined in a separate law. Chief Inspectorate makes decision on agreement till 1 September after the given year.
- (7) No guarantee shall be paid for the manufacturer if he transferred his taking back, collection, utilisation and disposal obligation to a treatment co-ordinating organisation, further for co-ordinating organisation.

Legal consequences

17.§

- (1) The competent inspectorate of environment protection - if the manufacturer or the receiver or co-ordinating organisation does not fulfil his taking back, utilisation, disposal obligation, volume of waste to be collected on the base of the contract - will:
 - a) have it made from guarantee provided by the manufacturer and the receiver or co-ordinating organisation by authorised waste management operator,
 - b) determine waste management penalty defined in a separate law.

(2) The Chief Inspectorate – if manufacturer does not fulfil his reporting obligation defined in paragraph 10 – will determine waste management penalty defined in a separate law.

Information supply and report to European Commission

18.§

The minister responsible for environment protection ensures performance of information supply and reporting obligation defined in article 12 of the Directive of European Parliament and Council No. 2002/EC, and Commission Directive No. 2004/249/EC on questionnaire as base of member state reports concerning fulfilment of execution of the Directive of European Parliament and Council No. 2002/96/EC.

Closing provisions

19.§

- (1) This decree – with except those contained in paragraph (2) - will be effective on 15th day after its announcement.
- (2) a) Paragraph 3-4 §, 6 §, 14-15 §, (1) and (3)-(7) of 16 §, Enclosure No. 2 and Enclosure No. 4 of this decree will be effective on 13th August 2005,
b) Paragraph (2) of 16 § will be effective on 20th February 2006.
- (3) If manufacturer already performs activity covered by effectiveness of this decree at the time of effectiveness of this decree, he will be obliged to submit for recording at Chief Directorate till 31st December 2004 at latest.
- (4) In case defined in paragraph (3) Chief Inspectorate will make decision on recording within 90 days from date of submission.
- (5) The manufacturer who performs activity covered by effectiveness of this decree on 13th August 2005, he will be obliged to form monthly guarantee till 20th February 2006.
- (6) Expenses connected with taking back, collection, utilisation and disposal of electric equipment can be included separately in the price of electric equipment till 13th February 2011 – in case a product belonging to electric equipment category “Large household machines” it is 13th February 2013 (separate fee). Separate fee cannot exceed the actually occurring expenses connected with taking back, collection, utilisation and disposal.

20. §.

- (1) Paragraph 1. § (3) of governmental decree 271/2001. (XII.21.) on extent of waste management penalty and its calculation method (further: R) will be added by the following paragraph h):

/ (3) Highest rate of basic penalty of waste management (further: basic penalty):/

“h) in case not or not sufficient fulfilment of law on environmental requirements for distribution of electric and electronic equipment (further: electric equipment) and taking back of wastes of such equipment:

“(h) In case not or not adequate fulfilment of regulations concerning environment requirements connected with distribution of electric and electronic equipment (further: electric equipment) and taking back of waste of such equipment:

ha) if manufacturer does not fulfil his collection obligation, it is 350.000 HUF,

hb) if manufacturer does not fulfil his taking back obligation or trader does not fulfil his receiving obligation, it is 25.000 HUF,

hc) if manufacturer does not fulfil his utilisation or disposal obligation or exceeds limit value of hazardous materials in the electric equipment specified in a separate law, it is 300.000 HUF,

hd) if manufacturer fails to fulfil his reporting, data supplying obligation, it is 200.000 HUF”

(2) Instead of table determining value of multiplier V in the paragraph 3 of enclosure of R the following table will be inserted:

/Value of multiplier V expressing waste management characteristics, hazard of waste shall be determined on the base of the following table:./

“

	Value of V
In case hazardous wastes	10
Non hazardous wastes obliged to taking back by separate law, to utilisation in defined ratio, wastes of products not qualifying for hazardous waste belonging to effectiveness of law LVI/1995 on environment protection product-fee, environment product-fee of certain products, in case non fulfilment of environmental requirements of distribution of electric and electronic equipment, or non-hazardous waste categories determined by other law, but requiring specific treatment (for example: non-hazardous wastes not deposited in landfill, non-hazardous medical wastes)	2,5
In case municipal wastes	1,5
In case other non-hazardous wastes	1

“

(3) Paragraph 3 of enclosure of R shall be added by the following paragraph e):

“e) In the events contained in paragraph h) of 1.§. (3) calculation of modifying factor M depending on characteristics and mass of waste can be made as follows:

$$M = V \times Me,t$$

In the events ha) and hc) the value of Me,t equals to mass of electric equipment or waste expressed in tons;

In the event hb) the value of Me,t equals to number of equipment;

In the event hd) the value of Me,t equals to 1.”

This decree – together with minister decree on detailed rules of treatment of electric and electronic equipment wastes – serves conformity with the following legislation of the European Union:

- a) 2002/96/EC directive of European Parliament and Council dated 27th January 2003 on wastes of electric and electronic equipment;
- b) 2003/108/EC directive, of European Parliament and Council dated 8th December 2003 on modification of directive 2002/96/EC on wastes of electric and electronic equipment;
- c) 2004/312/EC Council decision dated 30th March 2004 on temporary derogation permit of Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia, Slovenia concerning 2002/96/EC directive on wastes of electric and electronic equipment.

Instead of the prime minister:

Ferenc Gyurcsány

Enclosure No. 1: to 264/2004.(IX.23.)Governmental decree

Determination of electric and electronic equipment categories and identification of electric and electronic equipment based on customs tariff number

A)

Electric and electronic equipment categories

1. Large household machines
2. Small household machines
3. Information (IT) and telecommunication equipment
4. Entertainment electronic articles
5. Lighting equipment (with exception of standard bulbs and halogen bulbs and lamps used in household.
6. Electric and electronic hobby machines, tools (with exception of stable, large industrial equipment)
7. Toys, leisure and sports articles
8. Medical equipment (with exception of implanted and infected products)
9. Checking, controlling and monitoring articles
10. Dosing automatic machines

B)

*Identification of household electric equipment based on customs tariff number*1. Large household machine

KN-code				Description	Exceptions
8414	51			Ventilator put on table, floor, mounted on wall, window, ceiling or roof, with built-in electric motor, with output of 125 W maximum	Except articles for civil aviation
	59	30	1	- For household, office or similar purpose	Axial ventilator
	59	50	1	- For household, office or similar purpose	Centrifugal ventilator
				- For household, office or similar purpose	Other ventilator
8415				Air conditioner with motor-driven ventilator, temperature-, and humidity control, including also such equipment, in which humidity cannot be controlled	Except articles for civil aviation and cars
8418				Refrigerator, deep-freezer and other cooling or freezing equipment, electric or other operated; heat pump except air conditioner covered by KN-code 8415	Except furniture and articles used for civil aviation and equipment covered by KN-code 8418 1091, 8418 2110, 8418 3099, 8418 4099.
8450				Washing machine used in household or laundry, including combined one (washing and drying)	Except equipment covered by KN-code 8450 2000.
8516				Electric flowing through or storage water heater and immersing heater; electric air- and ground heating equipment for room heating; electro-thermic hairdresser article (for example: hairdryer, curling irons, curling irons heater) and hand dryer; electric iron; other electro-thermic household equipment, electric heating resistance except article covered by KN-code 8545	Except the following articles covered by KN-code 8516 31, 8516 32, 8516 33, 8516 40, 8516 80, 8516 90
8421	12	0	0	Cloth dryer	Centrifugal

					dryer	
8422	11	0	0	- - Household	Washing up machine	
8451	21		0	- Dryer		
	29	0	0	- - Other	Dryer	

2. Small household machines

KN-code				Description	Exceptions
8423	10	10		Household scale	Only electric equipment
8509				Electro-mechanic household equipment with built-in electro-motor	
8510				Electric razor, -hair clipper and depilatory device with built in electro-motor	
8516				Electric flowing through or storage water heater and immersing heater; electric air- and ground heating equipment for room heating; electro-thermic hairdresser article (for example: hairdryer, curling irons, curling irons heater) and hand dryer; electric iron; other electro-thermic household equipment, electric heating resistance	Except the following equipment: 8516 10, 8516 21, 8516 29, 8516 50, 8516 60, 8516 80, 8516 90,
8435	10	0	0	Machine	Press, crusher and similar machine for making drinks
8451	30	10	10	Maximum 2500 W	Ironing machine
9101				Wrist-watch, pocket watch and similar article (also stopper) with case made of precious metal or plated with it.	Except non-electronic articles
9102				Wrist-watch, pocket watch and similar article (also stopper) except article covered by KN-code 9101	Except non-electronic articles
9105				Other watch	Alarm clock, wall clock Except non-electronic articles

3. Information (IT) and telecommunication equipment

KN-code				Description	Exceptions
8469				Typewriting machines except printer covered by KN-code 8471; processor	Only electric equipment
8470				Electronic calculator, pocket data recorder with calculation function, developing machine, accounting machine, postal accounting machine, ticket machine and similar one with calculation device; cashier machine	Except equipment covered by 8470 4000 and 8470 5000.
8471				Automatic data processor and components; magnetic and optical reader, data overwriting machine for recording coded data on data recorder, for machine data process not referred otherwise:	Except articles used for civil aviation
8517				Wire telephone- or telegraph electric device, including wireless telephone, equipment of carrier frequency system, or digital equipment; videotelephone	
8519	40	0	0	- Text repeating device for telephone	
8520	10	0	0	Dictaphone, which only operates with outside power supply	
	20	0	0	- Telephone answering machine	
8525	20	91	0	Cellular (mobile telephone) network	Radio telephone, radio telegraph
8527	90	92	0	Portable personal caller	
	90	98	0	- Other	Portable personal caller
8528	12	90	0	Electronic unit purposed to build-in into automatic data processing machine	Presenting device
	12	91	0	Device with microprocessor based device, built-in modem, by which it can be connected with Internet, suitable to interactive information changing, and to receive television games (with "Set-top box" communication function)	
8543	89	15	0	Electronic translation machine or dictionary	

	89	79	0	Equipment making automatic data processing machine and its units including at least the followings: load speakers and/or microphone and an electronic unit, which makes possible that automatic data processor and its unit is capable to process phonetic signs (sound card)		
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4. *Entertainment electronic articles*

KN-code				Description	Exceptions
8518	10	20	0	Microphone, frequency range of which is between 300 Hz and 3,4 kHz, diameter is maximum 10 mm and height is maximum 3 mm, type used in telecommunication	
	10	80	0	- Other	Microphone
	29	20	0	- Loudspeaker, frequency range of which is between 300 Hz and 3,4 kHz, diameter is maximum 50 mm, type used in communication	
	29	80	0	- Other	Loudspeaker
	30	80	0	- Other	Headphone, ear-phone and combined microphone/loud-speaker unit
	40			Sound frequency electric amplifier	Except articles used in civil aviation
	50			Electric amplifier	
8519				Record player, also without amplifier, cassette player and other sound equipment, without recording unit	Except articles covered by KN-code 8519 1000, used in cars, built-in and bought together.

8520			Magnetophone and other sound recording equipment, with or without playing unit		Except articles used in civil aviation.
8521			Video camera and player, combined with videotuner		Except articles used in civil aviation.
8527			Radio telephone-, radio telegraph- and radio program receiving device, built-in with sound recording or player or clock in a common case:		Except 8527 90 92, 8527 90 98 – and articles used in cars, combined with them and articles used for civil aviation
8528			Equipment capable to receive television program, also including radio program receiver or sound- or image recorder or player, video monitor and video projector		Except articles covered by KN-code 8528 12 90, 8528 12 91
9006			Camera (with exception of film camera); photo flash-lamp and flashing bulb, except with discharge tube covered by KN-code 8539.		Except not electric devices, further products covered by, 9006 10, 9006 20, 9006 30, 9006 61, 9006 62, 9006 69, 9006 91, 9006 99, and components, attachments
9007			Video camera and projector, with sound recorder and sound reproduction device or without it:		Except not electric devices and components, attachments covered by

						9007 91, 9007 92.
9008	10	0	0	- Slide projector		
9207				Musical instrument, in which sound is generated or amplified in electric way (for example: organ, guitar, piano accordion)		

5. Lighting equipment

KN-code				Description	Exceptions
8513	10	0	0	- Lamp	Portable electric lamp with own energy source
8539	31	90		Electric bulb and discharge tube, including closed reflector and ultra-violet or infrared lamp; arc lamp	Only compact tubes (closed at one end) Except non-integral compact tubes
	31	10		Electric bulb and discharge tube, including closed reflector and ultra-violet or infrared lamp; arc lamp	Only linear tubes (closed at both ends) Except non-general lighting tubes.

6. Electric and electronic hobby machines, tools

KN-code				Description	Exceptions
8413	70	21		One stage:	Diving-pump
8433	11			Motor driven rotating unit with horizontal cutting unit	Lawn mower
8452	10			Household sewing machine:	Except articles not driven by electro-motor
8467				Handtool operated by pneumatics, hydraulics or built-in electro-motor or not electro-motor	With built-in electro-motor Except non-electric articles
8515	11	0	0	Soldering iron and heating torch	

7. Toys, leisure and sport articles

KN-code				Description	Exceptions
8526	92	90			Radio remote control device for operating toy
9503	10			Electric train, track, indicators and other attachments	
	20			- On a small scale "proportional with size" assembled model in set, operating, except with article covered by KN-code 9503 10.	Except non-electric articles
	80			- Other toy and model operating with built-in motor	
9504	10	0	0	- Video game connected with TV set	
	90	10	0	- - Electric car racing set, competition-like	

Enclosure No.2 to 264/2004. (IX.23) Governmental decree

Table A

Extent of collection and utilisation ratio
Extent of collection ratio

Electric and electronic equipment category	In 2005	In 2006	In 2007	In 2008
1. Large household machines	9%	18%	28%	36%
2. Small household machines	5%	10%	15%	19%
3. Information (IT) and telecommunication equipment	9%	17%	26%	35%
4. Entertainment electronic articles	9%	17%	25%	33%
5. Lighting equipment	1%	2%	4%	5%
5.a.)Lamps operating on principle of gas discharging	0%	0%	1%	1%
6. Electric and electronic hobby machines, tools	1%	2%	4%	5%
7. Toys, leisure and sport articles	0%	0%	1%	1%

For determination of collection obligation – by equipment category – the following formula shall be applied:

$$**B = F x K**$$

where:

B: volume of household equipment became waste to be collected in the given year, tons

F: volume of household equipment belonging to the given category, distributed within administration area of Hungary in the previous year, tons

K: extent of collection ratio concerning the given year, given to category in the table A, percent.

Table B

Extent of utilisation and re-processing ratio

Electric and electronic equipment category	In 2005		In 2006		In 2007		In 2008	
	Utilisation ratio	Reprocessing ratio	Utilisation ratio	Reprocessing ratio	Utilisation ratio	Reprocessing ratio	Utilisation ratio	Reprocessing ratio
1. Large household machines	20%	19%	40%	38%	60%	56%	80%	75%
2. Small household machines	18%	13%	35%	25%	53%	38%	70%	50%
3. Information (IT) and telecommunication equipment	19%	16%	38%	33%	56%	49%	75%	65%
4. Entertainment electronic articles	19%	16%	38%	33%	56%	49%	75%	65%
5. Lighting equipment	18%	13%	35%	25%	53%	38%	70%	50%
5.a.)Lamps operating on principle of gas discharging	20%	20%	40%	40%	60%	60%	80%	80%
6. Electric and electronic hobby machines, tools	18%	13%	35%	25%	53%	38%	70%	50%

7. Toys, leisure and sport articles	18%	13%	35%	25%	53%	38%	70%	50%
8. Medical equipment	-	-	-	-	-	-	-	-
9. Checking, controlling and monitoring articles	18%	13%	35%	25%	53%	38%	70%	50%
10. Dosing automatic machines	20%	19%	40%	38%	60%	56%	80%	75%

For determination of utilisation obligation – by equipment category – the following formula shall be applied:

$$**H = T x R**$$

where:

H: volume of electric equipment obligatory utilised, eventually collected and taken back by manufacturer in the given year and which became waste, tons

T: volume of electric equipment eventually collected and taken back in the given year and which became waste, tons

R: extent of utilisation ratio concerning the given year, given to category in the table B, percent.

For determination of reprocessing obligation – by equipment category – the following formula shall be applied:

$$**U = T x A**$$

where:

U: volume of electric equipment obligatory reprocessed, eventually collected and taken back by manufacturer in the given year and which became waste, tons

T: volume of electric equipment eventually collected and taken back by manufacturer in the given year and which became waste, tons

A: extent of reprocessing ratio concerning the given year, given to category in the table B, percent.

Enclosure No.3 to 264/2004. (IX.23) Governmental decree
Marking for identification of electric equipment requiring selective collection

Electric equipment requiring selective collection and produced after 13 August 2005 shall be marked with the following figure:

Enclosure No.4 to264/2004. (IX.23) Governmental decree

Guarantee providing obligation

Table A

Amount of guarantee projected to ton for identification of guarantee providing obligation in the given year

Electric and electronic equipment category	Amount of guarantee projected to ton (HUF/ton)
1. Large household machines	
a) (except equipment covered by KN-code 8418)	26.000
b) in case equipment covered by KN-code 8418	100.000
2. Small household machines	70.000
3. Information (IT) and telecommunication equipment	100.000
4. Entertainment electronic articles	95.000
5. Lighting equipment	190.000
6. Electric and electronic hobby machines, tools	85.000
7. Toys, leisure and sport articles	100.000

Extent of guarantee, method of calculation

Table B

1. Extent of guarantee

Extent of guarantee is addition of volume of produced and imported household equipment by equipment category and of multiplication of guarantee amounts projected to ton, given to equipment category in A) or referred to KN-code in the event of certain equipment.

2. Calculation method of guarantee

2.1. If manufacturer does not start activity in the middle of the year then calculation method of guarantee will be:

$$B = \sum_i M_i b_i$$

i

where

B – amount of guarantee to be calculated,

b_i – amount of guarantee projected to ton, determined by KN-code in the event certain equipment by equipment category as per A)

M_i –volume of household equipment (given in tons) referred to the given equipment category or covered by KN-code produced or imported by the manufacturer in the previous year.

2.2. If manufacturer starts operation in the middle of the year, then calculation method of guarantee to be made in each month of the partial year will be:

$$B = \sum m_i b_i$$

where

B – amount of guarantee to be calculated,

b_i – amount of guarantee projected to ton, determined by KN-code in the event certain equipment by equipment category as per A)

m_i –volume of household equipment (given in tons) referred to the given equipment category or covered by KN-code, produced or imported by the manufacturer in the given month.

Enclosure No.5 to264/2004. (IX.23) Governmental decree

Datasheet for reporting obligation of manufacturer

REGISTRATION SHEET FOR REPORTING OBLIGATION OF MANUFACTURER

Data of manufacturer

Country sign:			
Short name:			
Full name:			
Name of settlement:			
Address:			
.....
Zip number	town, village	Street, square	No
Tax number:			

Data of person responsible for contacting authority:

Name:	Position:
Phone number:	Facsimile no:
E-mail:	

*Data of authorised for receiving deliveries in Hungary **

Name:			
Address (seat):			
.....
Zip number	town, village	Street, square	No.
Phone number:		Facsimile:	
E-mail:			

Categories of distributed equipment (please indicate categories with "X"):

1 Large household machines		6 Electric and electronic hobby machines, tools (except stable, large industrial equipment)	
1a of which equipment covered by KN-code 8418 **		7 Toys, leisure time and sports articles	
2 Small household machines		8 Medical equipment (except implanted and infected products)	
3 Information (IT) and telecommunication equipment		9 Checking, controlling articles	
4 Entertainment electronic articles		10 Dosing automatic machines	
5 Lighting equipment (except standard bulbs and halogen bulbs)			

Date of filling: ____ day _____ month ____ year

.....
Official signature
Filled by authority!

Date of arrival:----day----month---year	Data were recorded by
Issued recording number:	Name:
	Signature:

* It should be filled in case a manufacturer with foreign seat, to which authorisation document shall be attached.

** Equipment covered by KN-code 8418: refrigerator, freezer and other cooling- or freezer, also operated by electricity or other way; heat pump except air conditioner covered by KN-code 8415.