NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

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| **1.** | **Notifying Member:** CHILE**If applicable, name of local government involved (Articles 3.2 and 7.2):** |
| **2.** | **Agency responsible:** *Ministerio del Medio Ambiente* (Ministry of the Environment)**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:***Subsecretaría de Relaciones Económicas Internacionales - Ministerio de Relaciones Exteriores de Chile* (Under-Secretariat for International Economic Relations, Ministry of Foreign Affairs of Chile) |
| **3.** | **Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Cells and electrical and electronic equipment |
| **5.** | **Title, number of pages and language(s) of the notified document:** *Aprueba anteproyecto de decreto supremo que establece metas de recolección y valorización y otras obligaciones asociadas de pilas y aparatos eléctricos y electrónicos (P+AEE)* (Approval of preliminary draft Supreme Decree establishing collection and recovery targets and other obligations relating to cells and electrical and electronic equipment) (31 pages, in Spanish) |
| **6.** | **Description of content:** The notified document, which is undergoing a national public consultation, is aimed at establishing collection and recovery targets and other obligations relating to the priority products, cells and electrical and electronic equipment, in order to prevent the creation of waste and encourage their reuse and recovery.This instrument shall apply to cells and electrical and electronic equipment introduced to the market, with specified exceptions. The following categories are established to regulate the obligations:1. Large Equipment: electrical and electronic equipment with an external dimension greater than 50 centimetres.
2. Small Equipment: electrical and electronic equipment not included in the Large Equipment category.
3. Large Cells: cells weighing more than 5 kilograms.
4. Small Cells: cells not included in the Large Cells category.

Subcategories are also specified. In order to regulate obligations, the following subcategories are established in the Large Equipment category:1. Temperature Exchange Equipment.
2. Other Large Equipment.
3. Photovoltaic Panels.

Extended Producer Responsibility shall apply to those introducing cells and electrical and electronic equipment within the scope of application to the domestic market. Notwithstanding the above, products in the Large Cells category and the Photovoltaic Panels subcategory shall not be subject to the collection and recovery targets.Producers' obligations and the ways in which they may be held accountable for their products can be assessed through individual and collective management systems, and all related reporting obligations, including the incorporation of a formula for calculating the guarantee in order to ensure fulfilment of the related targets and obligations.Collection and recovery targets for waste cells and electrical and electronic equipment are proposed and, using a management system, the producers of such "products" must comply with these targets relative to the total amount of cells and electrical and electronic equipment they have introduced into the domestic market.The related obligations for producers are also described in the preliminary draft, specifying the roles and responsibilities of cell marketers and producers. Obligations include: providing a service to pick up waste from marketers; designing, covering and operating reception and storage facilities; organizing a home collection service for the waste in question; and providing information, namely, management systems must inform distributors, marketers, managers and consumers of the relevant waste management costs. This title also specifies the role and responsibility of managers, including the technical requirements for waste management.Lastly, this title includes the role and responsibility of industrial consumers and also refers to restrictions on dangerous substances in products.The last titles refer to the obligations and options, including the reverse logistics of this waste, and to other actors, such as waste pickers, municipalities and consumers. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of the environment |
| **8.** | **Relevant documents:**- *Ley N° 18.575, Orgánica Constitucional de Bases Generales de la Administración del Estado Decreto con Fuerza de Ley N° 1/19.653, de 2000, del Ministerio Secretaría General de la Presidencia*.- *Resolución Exenta N° 249, del 20 de marzo de 2020, del Ministerio del Medio Ambiente-Subsecretaría del Medio Ambiente, que instruye medidas extraordinarias de visación de documentos del Ministerio del Medio Ambiente-Subsecretaría del Medio Ambiente a raíz de la alerta sanitaria por emergencia de salud pública de importancia internacional (ESPII) por brote de coronavirus (COVID-19).*- *Resolución Nº 7, de 2019, de la Contraloría General de la República, que fija normas sobre exención de trámite de toma de razón.*- *Ley Nº 19.300, sobre Bases Generales del Medio Ambiente.*- *Decreto Supremo N° 8, de 2017, del Ministerio del Medio Ambiente, Reglamento que regula el procedimiento de elaboración de los decretos supremos establecidos en la Ley N° 20.920.*- *Resolución Exenta Nº 310, del 16 de abril de 2021, del Ministerio del Medio Ambiente, que pone término al proceso que se indica y da inicio al proceso de elaboración del decreto supremo que establece metas de recolección y valorización y otras obligaciones asociadas de pilas y aparatos eléctricos y electrónicos, y regula un sistema de depósito y reembolso*.- *Resolución Exenta Nº 524, de 4 de junio de 2021, del Ministerio del Medio Ambiente, que convoca a representantes para integrar el comité operativo ampliado que participará en la elaboración del decreto supremo que establece metas de recolección y valorización y otras obligaciones asociadas de pilas y aparatos eléctricos y electrónicos, y regula un sistema de depósito y reembolso*.- *Resolución Exenta Nº 675, de 7 de julio de 2021, del Ministerio del Medio Ambiente, que designa integrantes del comité operativo ampliado que participará en la elaboración del decreto supremo que establece metas de recolección y valorización y otras obligaciones asociadas de pilas y aparatos eléctricos y electrónicos, y regula un sistema de depósito y reembolso*.- *Resolución Exenta Nº 1543, de 31 de diciembre de 2021, del Ministerio del Medio Ambiente-Subsecretaría del Medio Ambiente, que amplía aplicación de las medidas extraordinarias de visación de documentos del Ministerio del Medio Ambiente-Subsecretaría del Medio Ambiente, a raíz de la alerta sanitaria por emergencia de salud pública de importancia internacional (ESPII) por brote de coronavirus (COVID-19)*. |
| **9.** | **Proposed date of adoption:** -**Proposed date of entry into force:** - |
| **10.** | **Final date for comments:** 30 days from notification |
| **11.** | **Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:**Subsecretaria de Relaciones Económicas InternacionalesMinisterio de Relaciones Exteriores de ChileTeatinos 180, piso 11Tel.: (+56) 2 2827 5250Fax: (+56) 2 2380 9494Email: tbt\_chile@subrei.gob.clRecord: <https://rechile.mma.gob.cl/pilas-y-aparatos-electricos-y-electronicos/>Text for consultation: <https://consultasciudadanas.mma.gob.cl/portal/consulta/125><https://members.wto.org/crnattachments/2022/TBT/CHL/22_2296_00_s.pdf> |