

Effective E-Waste Management Bill 2022

A Bill for an Act to promote effective e-waste management, by centralising Government functions and by providing incentives to private and public institutions. This Bill constructs a framework for the rewarding of sustainable e-waste management. This Bill also gives authority to the Department of Environment, Land, Water and Planning to practice public outreach to ensure the efficacy and transparency of the measures outlined below.

It is estimated that e-waste from televisions and computers alone will grow by over 60 per cent or 85,000 tonnes over the decade to 2024. While e-waste is not one of the main waste streams generated in Australia, comprising approximately 1 per cent of the waste currently going to landfill, it is one of the fastest growing. This Bill attempts to stymie this growth. In impelling Victorians to be more conscious of their e-waste habits, this Bill ensures long-term sustainability of the Victorian community and unique environment.

**A Bill for an Act relating to Effective E-Waste Management to be enacted by the
YMCA Victoria Youth Parliament;**

PART I—Preliminary

Clause 1 Purpose

The main purposes of this act are—

- (a) To centralise e-waste management and oversight to affect greater efficiency in the delivery of Government e-waste services;
- (b) To make targets and protocols for Government departments on how to recycle effectively and efficiently;
- (c) To use evidence, such as tracking e-waste products and registration certificates, to recognise and offer subsidies as well as impose taxes within institutions;
- (d) To educate the public about, and persuade them to adopt, e-waste reduction and recycling mechanisms.

Clause 2 Commencement

This Bill shall commence upon receiving assent from the Youth Governor of Victoria.

Clause 3 Definitions

In this Bill—

- (a) *E-waste* means discarded electronic products;
- (b) *The Minister* refers to the Minister for Environment, within the Department of Environment, Land, Water and Planning;
- (c) *EPEAT*, which stands for Electronic Product Environmental Assessment Tool, refers to the online tool that helps suppliers select and compare computer desktops, laptops and monitors based on their environmental attributes;
- (d) *Council* as defined in s.3 of the Local Government Act 2020, means a municipal Victorian council, including the Melbourne City Council and the Greater Geelong City Council;
- (e) *Greenwashing* means a form of marketing used to persuade public that an organisation’s products/aims/policies are environmentally friendly;
- (f) *Non-for-profit organisations*, as defined in The Charities Act 2013 (Cth), means organisations that have only charitable purposes that are for the public benefit, do not have a disqualifying purpose, and are not an individual, a political party, or a government entity;
- (g) *End of a product’s average lifespan* means a product has been used for at least the lower bound of its estimated lifespan.

PART II—Establishment

Clause 4 Centralisation of E-Waste Management and Oversight.

- 4.1 All matters pertaining to e-waste collection, disposal, oversight, and management currently within the purview of Councils shall be placed

within the jurisdiction of the Department of Environment, Land, Water and Planning (DELWP);

- (a) The Minister shall be responsible for ensuring the timely and effective delivery of Government e-waste services previously delivered by Councils;
 - (b) The Minister shall investigate businesses under the following circumstances;
 - (i) The company is deriving benefit unduly;
 - (ii) The company is not incurring the appropriate charges;
 - (iii) The company is not truthfully reporting e-waste figures.
- 4.2 Any local laws made under s. 71 of the Local Government Act 2020 pertaining to e-waste management shall be revoked.
- 4.3 DELWP shall take over management of local contracts currently pertaining to e-waste services by private companies, in lieu of Council management of these contracts;
- (a) The Minister shall reserve the power to extend, amend, or cancel these contracts.

Clause 5 Positive and Negative Incentives for Businesses to Manage Toxic E-Waste Effectively.

- 5.1 DELWP shall implement taxes on all businesses which produce toxic e-waste. Taxes shall;
- (a) Be derived from the environmental harm associated with the disposal of various types of e-waste;
 - (b) Be proportional to the amount of toxic waste being disposed of each year by the business.
- 5.2 DELWP shall implement a pay-as-you-go mechanism for taxes, wherein those businesses disposing a significant amount of e-waste are taxed an additional fee.
- 5.3 DELWP shall introduce an advanced information system which tracks a business's e-waste after it is sent to a recycling facility.
- 5.4 DELWP shall offer subsidies to organisations who provide satisfactory evidence of managing e-waste.
- (a) Satisfactory evidence shall include;
 - (i) EPEAT registration of electronic products which are disposed;
 - (ii) Data gathered from inspections of businesses as outlined in Clause 4.1(b).
 - (b) Subsidies shall be calculated on the following basis;
 - (i) 101-500 devices shall be eligible for a 1.5% subsidy on the original price of the product;
 - (ii) 501-900 devices shall be eligible for a 3% subsidy on the original price of the product;
 - (iii) 901-1300 devices shall be eligible for a 4% subsidy on the original price of the product;
 - (iv) 1301-1700 devices shall be eligible for a 6% subsidy on the original price of the product;
 - (v) 1701-onward devices shall be eligible for a 9% subsidy on the original price of the product.

- (c) Upon adherence to these criteria, DELWP shall award a certificate to compliant businesses, as well as other institutions which are eligible to receive subsidies.

Clause 6 Public Education and Encouragement to Reduce and Recycle E-Waste

- 6.1 DELWP shall design and implement an informative, public campaign wherein adhesive posters shall be put on the front of general waste and recycling bins, communicating the following information;
 - (a) The two types of bins are not suitable for e-waste disposal;
 - (b) The local consequences of improper e-waste disposal.
- 6.3 Through community publication, DELWP shall inform the general public on accessible strategies to avoid producing e-waste;
 - (a) Donating electronic products that would otherwise be disposed of;
 - (b) Repairing non-functional electronic products;
 - (c) Trading or selling products through community groups.
- 6.4 DELWP shall implement a range of initiatives to increase the use of the strategies outlined on 6.3, including;
 - (a) Establishing pop-up electronic device repair cafes which shall operate in public spaces in Victorian suburbs;
 - (i) Pop-up electronic device repair cafes shall aim to track the movement of donated electronics so that the public are able to trace the final destination of their donation, through the intermediaries.
 - (b) Establishing used electronic selling groups through online marketplaces;
 - (c) Placing posters at local councils encouraging the public to sell their used electronics.

Clause 7 Subsidies to Incentivise Sustainable Recycling of E-Waste and Electronic Products in Schools.

- 7.1 Subsidies on orders for new electronic equipment, to incentivise schools to recycle or reuse electronic products, shall be implemented.
- 7.2 These subsidies shall work in one of two manners, wherein either;
 - (a) The product has reached the end of its average lifespan;
 - (b) The school has endeavoured to gift or sell unused software to another consumer.
- 7.3 Schools shall abide by the following requirements to be eligible to receive a subsidy;
 - (a) Upon reaching the end of a product's lifespan, the school shall dispose of the e-waste effectively by sending it to registered recycling plants;
 - (b) If the product has not reached the end of its average lifespan but the school ceases use of the product, the school shall recycle or reuse the product by providing it to another consumer to use such as;
 - (i) Another school; or
 - (ii) Students.

- 7.4 Subsidies shall be granted to schools who satisfactorily show evidence of not engaging in obsolescence behaviour, as outlined in Clause 4.1(b).
- 7.5 Subsidies shall be calculated based upon the number of products correctly disposed, wherein;
- (a) 1-10 devices shall be eligible for a 1.5% subsidy on the original price of the product;
 - (b) 11-30 devices shall be eligible for a 3% subsidy on the original price of the product;
 - (c) 31-50 devices shall be eligible for a 4% subsidy on the original price of the product;
 - (d) 51-100 devices shall be eligible for a 6% subsidy on the original price of the product;
 - (e) 101-onward devices shall be eligible for a 9% subsidy on the original price of the product.

Clause 8 Establishment of Victorian Strategic E-Waste Refurbishment Program (VSERP)

- 8.1 A program titled Victorian Strategic E-Waste Refurbishment Program (VSERP) shall be established in Victoria.
- 8.2 A state-wide online portal shall be established under VSERP for the purpose of sourcing, donating, and distributing laptops from businesses and organisations to non-for-profit organisations (NFPs) specialising in the refurbishment of e-waste.
- 8.3 The VSERP program and portal shall be maintained by DELWP.
- 8.4 NFPs specialising in the refurbishment of e-waste shall submit clear photographic evidence of the device being in working condition to the VSERP portal prior to their donation of their refurbishment of the device.
- 8.5 NFPs are solely eligible to receive refurbished devices and shall register their non-for-profit status with the VSERP, as well as with the Australian Taxation Office, prior to the receipt of any devices.
- (a) Upon the receipt of the device, the non-for-profit organisation shall register a notice of their receiving of the device through the VSERP portal;
 - (b) At every stage, devices shall be in working condition.
- 8.6 In accordance with s. 147 of the Carbon Credits (Carbon Farming Initiative) Act 2011, DELWP shall grant carbon credit units upon the delivery of e-waste by business or organisations.
- 8.7 Devices shall be given in working condition in order to receive carbon credits.
- 8.8 Grants to NFPs specialising in the refurbishment of devices for non-for-profit usage shall be granted.
- (a) Grants shall be calculated based on the number of devices refurbished and donated per annum to non-for-profit organisations through the VSERP;
 - (i) 100-300 devices yearly shall be eligible for a \$20,000 grant per annum;
 - (ii) 300-500 devices yearly shall be eligible for a \$40,000 grant per annum;

- (iii) 500-1000 devices yearly: eligible for a \$60,000 grant per annum;
 - (iv) 1000-2000 devices yearly: eligible for a \$100,000 grant per annum;
 - (v) 2000-5000 devices yearly: eligible for a \$200,000 grant per annum;
 - (vi) 5000-10,000 devices yearly: eligible for a \$400,000 grant per annum;
 - (vii) 10,000-50,000 devices yearly: eligible for a \$800,000 grant per annum;
 - (viii) 50,000+ devices yearly: eligible for a \$1,200,000 grant per annum.
- (b) Grants to NFPs specialising in refurbishing e-waste shall be given automatically upon the fulfilment of the number of devices specified to the designated NFP.

Clause 9 Targets and Protocols for Government Departments

- 9.1 VIC Government departments shall reduce e-waste by 45% by 31st December 2028.
- 9.2 Victorian Government departments shall reduce e-waste by 90% by 31st December 2035.
- 9.3 The Premier of Victoria and the Minister shall ensure the 2028 target and the 2035 target are met.
- 9.4 When developing and implementing Government policy, the Victorian Government shall take the following into account, to the extent that they are relevant;
 - (a) The purpose of this Bill as outlined in Clause 1;
 - (b) The 2028 Target;
 - (c) The 2035 Target.