

A GUIDE FOR THE SHIPMENT OF USED VEHICLES, USED VEHICLE PARTS AND USED ELECTRICAL AND ELECTRONIC EQUIPMENT



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Glossary

ATF - Authorised Treatment Facility

CoD - Certificate of Destruction

CFC - Chlorofluorocarbons

CMR - Convention on the Contract for the International Carriage of Goods by Road

EEE - Electrical and Electronic Equipment

ELV - End-of-Life Vehicle

NCT - National Car Test

RECI - Register of Electrical Contractors of Ireland

WEEE - Waste Electrical and Electronic Equipment

1. Introduction

This guidance document was originally published in November 2014 and its second revision was published in November 2015. This document is designed to provide assistance for those organising the shipment of used or pre-owned vehicles, vehicle parts, tyres, electrical and electronic equipment, personal effects, machinery and other items that are still in reusable condition. It aims to clarify and simplify the information contained within the European Union Member States Correspondents' Guidelines No. 1 and No. 9, and the European Union (Waste Electrical and Electronic Equipment) Regulations 2014 (S.I. No. 149 of 2014) ¹.

In Ireland, the *Waste Management (Shipments of Waste) Regulations 2007* (S.I. No. 419 of 2007) gives effect to *Regulation (EC) No. 1013/2006* on shipments of waste (the TFS Regulation²). The 2007 regulation designated Dublin City Council as the National Competent Authority for the export, import and the transit of waste shipments. Dublin City Council established the National TFS Office (NTFSO) in July 2007 to monitor and control the transfrontier shipment of wastes. The NTFSO maintain the national register of waste brokers and dealers in accordance with the *Waste Management (Registration of Brokers and Dealers) Regulations 2008* (S.I. No. 113 of 2008). Since 2011, Dublin City Council has also been designated as the National Competent Authority for the control of the movement of hazardous waste within Ireland under the *European Communities (Shipments of Hazardous Waste Exclusively Within Ireland) Regulations 2011* (S.I. No. 324 of 2011). The main purpose of the TFS Regulation is “*the protection of the environment, its effects on international trade being only incidental.*”

When used goods are shipped into, out of or transit through Ireland for the purpose of re-use, the person/organisation organising the shipment must be satisfied that the used goods are fit for direct re-use and for the same purpose for which the goods were originally designed. It is the responsibility of those parties organising shipments to ensure that the items being shipped are not waste. Further information on the shipment of wastes and the NTFSO can be found on the Dublin City Council website: www.nationaltfs.ie

¹ Where these documents are reviewed and updated by Member States, it is the responsibility of the parties organising the shipment to ensure that they are taking guidance from the most up to date documentation available.

² REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 June 2006 on shipments of waste.

2. Updates to Guidelines

Your attention is drawn to the following points noted as the main changes to the updated guidance document. **Please note that these updates will be strictly enforced from 01st June 2019.**

1. Shipments of used Electrical and Electronic Equipment (EEE) that are being shipped must be tested by an electrician registered with the Register of Electrical Contractors of Ireland (RECI).
2. Vehicles which have a Certificate of Destruction (CoD) issued on them will be automatically classified as waste, and will be subject to the TFS Regulations.
3. A copy of the invoice and contract relating to the sale and/or transfer of ownership of the EEE which states that the equipment is destined for direct re-use and that it is fully functional must accompany the shipment.
4. Evidence of evaluation or testing in the form of a certificate of testing/proof of functionality **must be affixed to each individual item of EEE** within the consignment and another copy should be placed with the shipment documentation. Documentation affixed to individual items should be legible without unpacking the equipment.
5. Used vehicles and/or vehicle parts that emanate from unauthorised sites, unauthorised breaking activities and/or sites that have been subject to a site clearance order (including Section 55 of the Waste Management Act, 1996) will be classified as waste.
6. Any shipment of used vehicles and/or used items that are prohibited, or if they contain substances which are prohibited, either from export by the country of origin or from import by the country of destination, the shipment will be placed on hold pending a suitable alternative arrangement from the shipper.

N.B. When a shipment is not accompanied by the required proof that each item contained within the consignment is fit for direct re-use, the NTFSO shall consider those items to be waste. The load will then be classified as waste and will be subject to the TFS regulations.

3. Shipments for Re-Use and Waste Shipments

Re-use

Re-use means “any operation by which products or components that are not waste are used again for the same purpose for which they were conceived”.³ The NTFSO is concerned that items intended for shipment for the purpose of re-use are: 1) not waste, 2) have been correctly certified as non-waste, and 3) can be re-used for their original purpose.

Waste

Waste is “any substance or object which the holder discards or intends or is required to discard”.⁴ The NTFSO ensures that waste intended for shipment is correctly classified:

1. Waste material declared as “Green-list” waste is subject to the general information requirements under article 18 of the TFS Regulation; and
2. Waste material declared “Amber-list” or “mixed waste” is subject to the procedure of prior written notification and consent in accordance with Article 3 and 4 of the TFS Regulation.

An illegal waste shipment is defined in Article 2.35 of the TFS Regulation. It is the responsibility of the owner, any person or organisation arranging the shipment to ensure that any material imported, exported or transiting the state is not an illegal waste shipment. It is also an offence to assist others in the illegal shipment of waste.

The shipment of certain used items may be banned or subject to very strict controls, for example, ozone depleting substances such as chlorofluorocarbons (CFCs) found in old refrigerators. If you are unsure of what is subject to controls under the TFS Regulation or what controls are in effect in the country of destination, you are advised to contact the National TFS Office for assistance.

- E-mail: nationaltfs@dublincity.ie
- Tel: +353 1 222 4276; +353 1 222 4829; +353 1 222 4700

³ Section 5(ix) of the EUROPEAN COMMUNITIES (WASTE DIRECTIVE) REGULATIONS 2011

⁴ Section 4.1 of the EUROPEAN COMMUNITIES (WASTE DIRECTIVE) REGULATIONS 2011

4. Shipment of Used Vehicles

For the purposes of the TFS Regulation, a differentiation is made between

- i) Second-hand operational vehicles and parts that are capable of being re-used for their original purpose,
- ii) Waste end-of-life vehicles (ELVs)
- iii) Waste vehicles (other than end-of-life vehicles) and,
- iv) Vehicle parts that are not capable of being re-used for their original purpose.

The Correspondents' Guidelines No. 9 represents the common understanding of how the TFS Regulation should be interpreted in relation to the shipment of used vehicles.

It is the responsibility of the owner of vehicles being shipped to ensure that a Certificate of Destruction (CoD) has **not** been issued on that vehicle. Where a CoD has been issued on a vehicle, that vehicle will automatically be classified as waste.

Examples of vehicles not suitable for shipment for reuse



Vehicles not fit for repair – e.g. crashed vehicles and excessively corroded vehicles



Structurally unsound vehicles – e.g. vehicles with corroded chassis and crushed vehicles

Examples of cut vehicles

If the body of a vehicle is cut, regardless of the reason, it will be classified as a waste ELV. A person or organisation arranging a shipment of used vehicles should be aware that it is a criminal offence to break up a vehicle on a site that is not a registered Authorised Treatment Facility (ATF) /Waste Permitted or Licenced Facility and that facilitating an illegal waste shipment may also be a criminal offence.



Cut vehicles



Cut vehicle



Front end of vehicle

5. Shipment of Used Vehicle Parts.

Vehicles must be dismantled prior to shipment if the used vehicle parts are intended for re-use. Vehicles can only be dismantled for their parts at an appropriately authorised waste facility in accordance with the Waste Management (End-Of-Life Vehicles) Regulations 2006, as amended, and the Waste Management (Facility Permit and Registration) Regulations 2007, as amended. When the intention is to dismantle a used vehicle for its component parts in the country of destination, or if the vehicle is not fit for direct reuse in its current condition, it will be classified as waste and the vehicle will be subject to the requirements of the TFS Regulations.

Prior to shipment, the person/organisation arranging the shipment will be requested to provide details of where the used vehicle parts were sourced. It is recommended that the information contained in Appendix B be completed at the time of purchase.

Used vehicles and/or vehicle parts that emanate from unauthorised sites, unauthorised breaking activities and/or sites that have been subject to a site clearance order (including Section 55 of the Waste Management Act, 1996) by the relevant Local Authority will be classified as waste. These wastes can only be brought to suitably authorised waste permitted facilities, or shipped in accordance with the requirements of the TFS Regulations.

Examples of used items not suitable for shipment



Bald Tires



Damaged/unusable items



Items containing hazardous materials such as oil

6. Shipment of used Electrical and Electronic Equipment (EEE)

A differentiation is made between;

- i) Electrical and electronic equipment (EEE) that is capable of being re-used for its original purpose and,
- ii) Waste electrical and electronic equipment (WEEE) that is no longer functional.

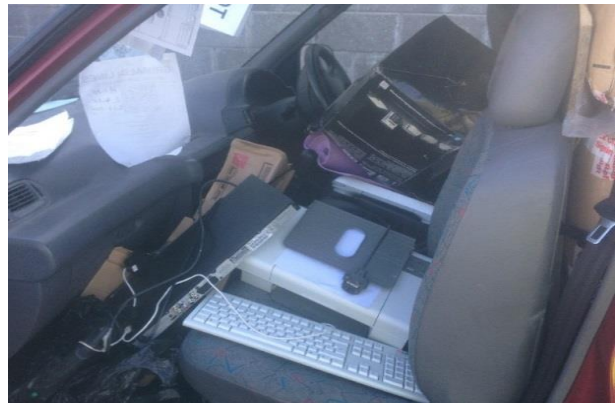
The European Union (Waste Electrical and Electronic Equipment) Regulations 2014 (S.I. No. 149 of 2014) gives effect to Directive 2012/19/EU on WEEE. Schedule 11 in S.I. No.149 of 2014 details the “*minimum requirements for shipments of used EEE suspected to be WEEE*”.

Shipments of used EEE must be tested by an Electrician registered with the Register of Electrical Contractors of Ireland (RECI) and accompanied by the required documentation as set out in Section 8 below.

Examples of used electrical items not suitable for shipment



Incomplete computer unit



Items not properly packaged



Items not properly packaged to prevent damage



Examples of other issues that may result in a shipment being delayed/stopped



Unit and contents cannot be fully inspected



Unit and contents cannot be fully inspected



Unit and contents cannot be fully inspected

Examples of other issues that may result in a shipment being delayed/stopped



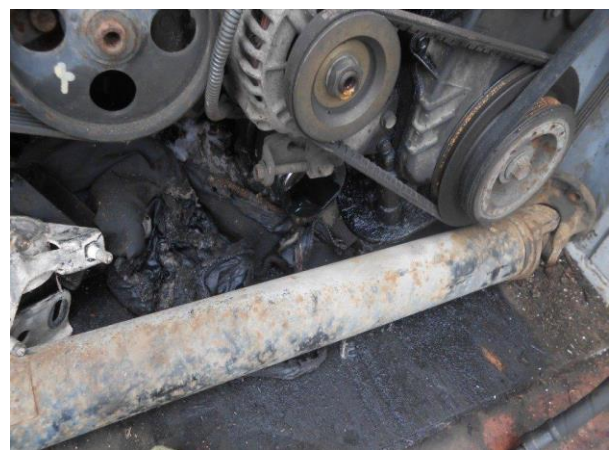
Unit and contents cannot be fully inspected



Items that are restricted from import or export



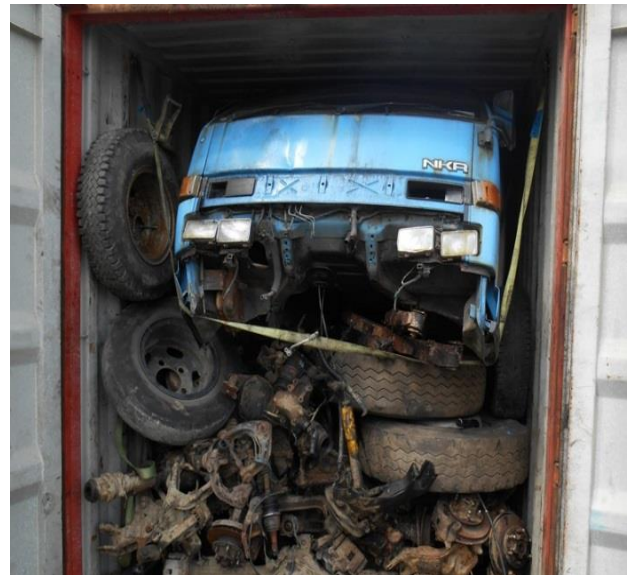
Broken windows, mirrors, lights etc to be removed prior to shipment



Oil leaks from components or a vehicle

7. Packing

Examples of inappropriate packing



The packaging of personal effects and used goods **does not** demonstrate that care has been taken to protect the goods during loading, transit and unloading.

Examples of appropriate packing



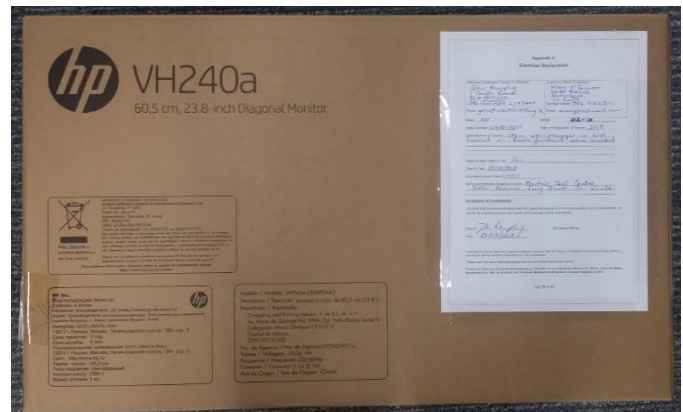
Paperwork clearly visible and available for inspection within shipping unit/vehicle



Items packed appropriately



Electrical certificates attached to each individual item within the shipment



Examples of appropriate packing



The packaging of personal effects and used goods must demonstrate that care has been taken to protect the goods during loading, transit and unloading.

8. Shipping Requirements

This guidance document has taken into account the minimum requirements for shipments of used EEE and the common understanding of the TFS Regulation. The checklist below, the certificates and declarations contained within the Appendices of this document have been designed to assist anybody wishing to ship used EEE, used vehicles, parts from used vehicles and other used goods that are suitable for direct re-use.

Pre-shipment Checklist

A shipment is considered to have started from the time it has left the site of loading and is *en route* to the port or border crossing.

1. The person or organisation arranging the shipment should ensure the following checks have been carried out prior to the load arriving at the port or border crossing:
 - a. The used vehicles and all used items within the shipment are functional and fit for direct re-use (tested and certified by a suitably qualified person, e.g. National Car Test (NCT) certificate or mechanical/electrical certificate).
 - b. The used vehicles and all used items within the shipment are not prohibited nor do they contain substances which are prohibited from export by the country of origin, or prohibited from import by the country of destination.
 - c. The packaging around items sufficiently protects them from damage during transport.
 - d. The shipment is not sealed in such a way that prevents a visual inspection of all used items within the shipment (i.e. welded, locked, use of expanding foam etc.).
 - e. The used vehicles and all used items within the shipment have a market value and do not utilise outdated technology.

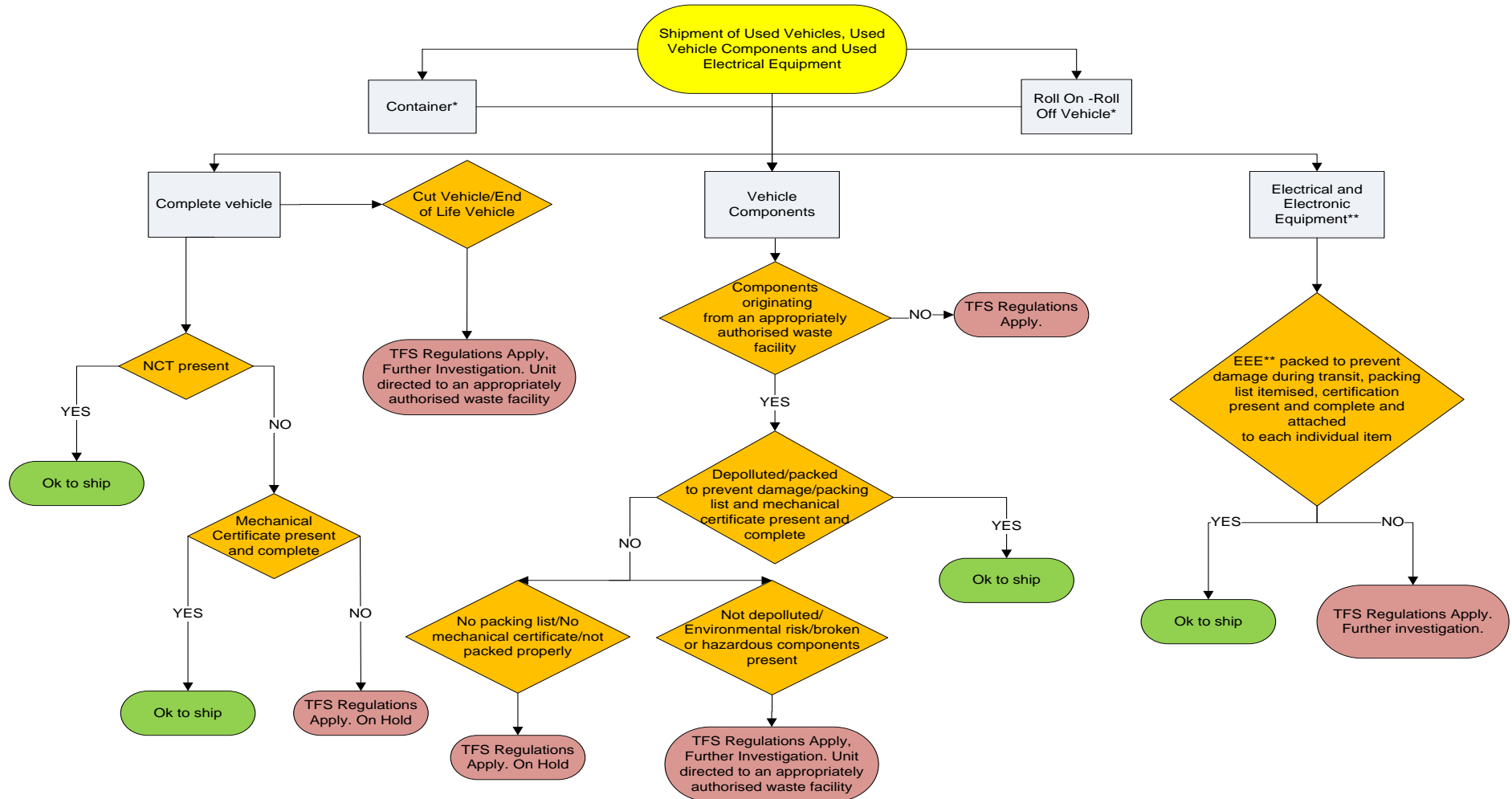
Required Documentation

2. The person or organisation arranging the shipment should ensure that at all times during the shipment the following documents are available for inspection by Waste Enforcement Officers from the National TFS Office:
 - a. **Proof of ownership** (sales receipts, invoices, ownership documents or declaration of ownership for personal effects). For shipments of used EEE *“a copy of the invoice and contract relating to the sale and/or transfer of ownership of the EEE which states that the equipment is destined for direct re-use and that it is fully functional”* is required.
 - b. **Evidence of functionality** (NCT certificate, mechanical and/or electrical test certificates (see sample certificates in Appendices A, B & C). These must be affixed to the outside of the item in question and must be clearly visible, without the need to unpack any items. Where a vehicle’s NCT certificate is more than two years out of date, then the vehicle will be considered a waste ELV.
 - c. **A detailed packing list** identifying the make, model, quantity and serial number for every item within a shipment, including a declaration signed and dated by the person/organisation arranging the shipment stating that the used goods are not waste - (see sample in Appendix D).
 - d. **Relevant transport documents**, e.g. Convention on the Contract for the International Carriage of Goods by Road (CMR), Bill of Lading or waybill.

Regardless of a shipment being within a shipping container or within a vehicle, **all documentation listed in points 2(a) to 2(d) above must accompany the shipment** i.e. within the cab of the vehicle; inside the door of a shipping container or attached to an unaccompanied trailer. Incomplete or illegible documentation may result in the shipment being delayed.

N.B. Where any of this documentation is not readily available for inspection, the NTFSO shall consider that the items within the shipment are waste, and that the load is an illegal shipment. The shipment of used vehicles and other used items may be placed on hold and/or returned to the point of origin for further investigation, or when appropriate, directed to an authorised waste facility. Any subsequent charges or handling costs will be at the expense of the person/organisation arranging the shipment. Furthermore, where illegal waste shipments are discovered, the National TFS Office may also apply additional charges and/or prosecute those responsible.

9. Guidance Flow Chart



* Any vehicle or unit sealed (foam/rivet/welded) and unable to be inspected by authorised officers will be placed on hold, pending full inspection
 ** Electrical and Electronic Equipment

Appendix A
Certificate for Used Vehicle

Vehicle Owner/Liable Person (Name & Address): Phone No/Fax: Email:	Vehicle make/model:	
	Chassis No:	
	Engine No:	
	Registration No:	

Vehicle Mileage: _____ Estimated Value: € _____ Date of Testing: _____

Name and Address of location where vehicle was tested: _____

Details of tests carried out on vehicle: _____

If vehicle is in need of repair, detail parts to be repaired and cost of same (including labour): _____

Estimated Total Cost of Repair: € _____

Name, address and contact details for motor assessor/vehicle mechanic¹ who tested this vehicle: _____

Declaration Motor Assessor/Mechanic¹:

I declare that the vehicle listed above, is suitable for use for its original purpose and meets European Safety Standards.

Signed: _____

Company Stamp:

Date: _____

Declaration Vehicle Owner/Liable Person:

I declare that the vehicle listed above is not waste (as defined in Article 3.1 of the Waste Framework Directive 2008/98/EC) and is not being imported/exported for any purposes other than direct re-use.

Signed: _____

Date: _____

¹ Motor Assessor: Must be registered professional who is accredited in the country of dispatch of the shipment.

Vehicle Mechanic: A person skilled in maintaining, repairing and operating vehicles and motors and with appropriate certification as to his/her skills from a National Accreditation Body in the country of dispatch for the shipment.

***Please be aware that providing false/misleading information to an authorised officer is an offence under the Waste Management Act 1996 as amended, and the Waste Management (Shipments of Waste) Regulations 2007.**

Appendix B

Certificate for Used Vehicle Parts

Vehicle Mechanic /Motor Assessor ¹ (Name & Address): Contact No/Fax No: Email:	Customer Name & Address: Contact No/Fax No: Email:
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Details of where second hand parts sourced: Where vehicle parts are sourced from multiple locations please include an additional Appendix B to this document for each location.

Name of Business or yard: _____

Address: _____

Waste facility permit or licence number/ ATF number: _____

Contact name: _____

Telephone number: _____

E-mail address: _____

Vehicle Part: Make/Model	Qty	Method of Testing	Engine Number (if applicable)	Pass/ Fail (Y/N)	Estimated Value.
					€
					€
					€
					€
					€
					€
					€
					€

Vehicle Part: Make/Model	Qty	Method of Testing	Engine Number (if applicable)	Pass/Fail (Y/N)	Estimated Value.
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€
					€

Declaration of Vehicle Mechanic/Motor Assessor¹:

I declare that all vehicle parts listed above have been tested by me and are suitable for re-use for their original purpose and meet all European Safety Standards. I also declare that there are no hazardous components/substances within the parts listed above.

Signed: _____

Company Stamp:

Date: _____

¹ Motor Assessor: Must be registered professional who is accredited in the country of dispatch of the shipment.

Vehicle Mechanic: A person skilled in maintaining, repairing and operating vehicles and motors and with appropriate certification as to his/her skills from a National Accreditation Body in the country of dispatch for the shipment.

***Please note that ozone depleting substances are a prohibited export from the EU.**

***Please be aware that providing false/misleading information to an authorised officer is an offence under the Waste Management Act 1996 as amended, and the Waste Management (Shipments of Waste) Regulations 2007.**

Appendix C
Electrical Declaration

<p>Electrical Contractor¹ (Name & Address):</p> <p>Contact Details:</p> <p>Email:</p> <p>Safe Electric Registration No:</p>	<p>Customer Name & Address:</p> <p>Contact Details:</p> <p>Email:</p>
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Make: _____ Model: _____

Serial Number: _____ Year of Production: (if known) _____

Detail Method of Testing: _____

Result of test- Pass or Fail: _____

Date of Test: _____

Estimated value of item: € _____

Name and address of testing location: _____

Declaration of Functionality:

I declare that the electronic/electrical item specified above is in working condition and is suitable for re-use for its original purpose and meets all European Safety Standards.

Signed: _____

Company Stamp:

Date: _____

¹ Electrical Contractor: Must be a registered electrical contractor with the Register of Electrical Contractors of Ireland (RECI) in accordance with the Electricity Regulation Act 1999, as amended.

***Please note that ozone depleting substances are a prohibited export from the EU.**

***Please be aware that providing false/misleading information to an authorised officer is an offence under the Waste Management Act 1996, as amended, and the Waste Management (Shipments of Waste) Regulations 2007.**

Appendix D

Packing List

Liabe person/Sender (Name & Address):

Sender's Agent/Freight Forwarder (Name & Address):

Phone No:

Fax:

Email:Phone No:

Fax:

Email:

Consignee (Name, address, contact details): _____

Name and address of loading location: _____

Additional Notes:

Item Description: make/model etc	Serial Number	Qty	Estimated value	Invoice present Y/N?
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Estimated Total Value of shipment (Euros): € _____

Declaration of liable person:

- I declare that the items within this shipment have been packed individually with appropriate protection against damage during transportation, loading and unloading and in such a manner so as not to cause environmental risk.
- I declare that all of the electronic and electrical equipment within this shipment are re-useable in their current condition and are not waste as defined by Article 3(1) of Directive 2008/98/EC.
- I declare that all items of electronic and electrical equipment within this shipment have been tested and that the result of the functionality test has been attached on the outer packaging of each item.
- I declare that all vehicles in this shipment are re-useable in their current condition or in need of only minor repair.
- I declare that all used vehicle parts within this shipment are fit for direct re-use or require only minor repair and do not contain any hazardous components/substances.
- I declare that I am the legal owner of the items within this shipment, all of which are for direct re-use in their current condition.

Signature: _____

Block Capitals: _____

Date: _____

*** Please note that ozone depleting substances are a prohibited export from the EU.**

***Please be aware that providing false/misleading information to an authorised officer is an offence under the Waste Management Act 1996 as amended, and the Waste Management (Shipments of Waste) Regulations 2007**

***Please be aware that any shipment that requires further investigation or is required to be returned to origin may incur a Return to Origin Fee of €750.**

***Please be advised that any shipment that requires a written direction to be issued by this office may incur a Monitoring Fee of €350.**

***Please be advised that the shipment of waste in contravention of Regulation (EC) 1013/2006 may result in a court appearance and if convicted fines can be issued up to €4,000 per offence and /or costs and /or 12 months imprisonment.**