Environmental Treatment of Electrical and Electronic Equipment and Batteries Regulations (Producer and Importer on a Limited Scale and a Minimum-Size Vendor), 5774-2014

By the power vested in me under sections 12(a) and 67(a) of the Environmental Treatment of Electrical and Electronic Equipment and Batteries Law, 5772-20121 (hereinafter – the Law), and with the approval of the Knesset Finance Committee, I make these Regulations:

1. Definitions

In these Regulations –

"related person" – Any of the following:

(1) A person controlling a producer, an importer or a vendor (hereinafter – controlling party).

(2) A corporation controlled by a producer, importer or vendor or by a controlling party.

"directly or indirectly" – including any of the following:

(1) Through an agent or a trustee.

(2) Jointly in cooperation with another under an agreement.

(3) Through rights vested pursuant to an agreement.

(4) Through holding or acquisition by a trust company, a nominee company or a relative, as the term is defined in the Companies Law, 5759-1999.2

"holding" – As defined in the Securities Law, 5728-1968.3

"annul volume of sales" – Total sales in a year of electrical and electronic equipment, made directly or indirectly by a producer, importer or vendor and a person related to any of them.

"sale" – Including wholesale selling.

"electrical and electronic equipment" – Excluding lamps.

"minimum amount" – Electrical and electronic equipment with a weight not exceeding 1,000 kilograms, provided the number of products does not exceed either of the following:

(1) Twenty five products from classification categories 1 and 4.

(2) Two hundred products from classification categories 2, 5 and 6.

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1 Sefer HaChukkim 5772, page 530.
2 Sefer HaChukkim 5759, page 189.
3 Sefer HaChukkim 5722, page 234.
"control" – The ability to direct, directly or indirectly, the activity of a corporation. Without derogating from the generality of the foregoing, a person is presumed to be a controlling party in a corporation –

1. If he holds more than one half of the right to vote at the general meeting of a company or the equivalent organ of another corporation, or of the right to appoint directors to a company, or of the right to appoint holders of similar positions in a corporation that is not a company.

2. If he holds the right to appoint the general manager of a corporation.

3. If he holds more than thirty percent of an interest in a corporation, and there is no other person who holds more than one half of that interest.

2. Producer or Importer on a Limited Scale
   (a) A producer or importer of electrical and electronic equipment shall be a producer or importer on a limited scale if its annual volume of sales does not exceed the minimum amount.
   (b) A producer or importer on a limited scale shall continue to be subject to sections 3, 4, 5, 7 and 8 of the Law with respect to the batteries, accumulators and lamps sold by it.

3. Minimum-Size Vendor
   The duty to accept waste equipment and batteries as provided in section 30 of the Law shall apply to a vendor if it satisfies either of the following:
   (1) It has an annual volume of sales equivalent to or greater than the minimum amount.
   (2) It sells portable batteries and accumulators or lamps.

4. Provision of Information and Documents
   The Administrator or the person authorized by him for this purpose from among the employees of the Environmental Protection Ministry may request a producer, an importer or a vendor to furnish to him any information and documents relating to their annual volume of sales. A producer, importer or vendor who is requested to furnish such information or documents, shall furnish them at the time and in the manner specified in the request.

5. Effective Date
   These Regulations shall become effective on March 1, 2014 (29 First Adar 5774).

February 17, 2014 (17 First Adar 5774)

Amir Peretz
Minister of Environmental Protection