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**Question 2a. National Definition of waste****2005. Africa. (Parties which did not report are not listed).**

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**Algeria:** Definition exists

Any residue of a process of transformation or using or in general any substance or product and any personal estate that the property or the holder wants to get rid of or eliminate.

**Botswana:** Definition does not exist**Burundi:** Status not provided

Tout résidu résultant d'un processus d'extraction, d'exploitation, de transformation, de production, de consommation, d'utilisation de contrôle ou de traitement dont la qualité ne permet pas de le réutiliser dans le cadre du procédé dont il est issu ou plus généralement, tout bien meuble, abandonné ou que son étendeur destine à l'abandon.

**Cameroon:** Definition exists

Waste: Any residue from a production, processing or utilization process, any substance or material produced or, more generally, any movable and immovable goods abandoned or intended to be abandoned. The definition is from article 4 of the Law N° 96/12 of 5th August 1996 relating to Environmental Management in Cameroon.

**Djibouti:** Definition exists

Loi cadre sur l'environnement Article 45 : on entend par déchets toute substance ou matière, résidu d'un processus de transformation ou d'utilisation.

**Ethiopia:** Definition exists

The Ethiopian Parliament has adopted a Proclamation on Municipal Solid Waste Management. Its definition part has two relevant provisions as stated below: 1."Solid Waste" means any thing that is neither liquid nor gas and is discarded as unwanted; 2."Solid waste management" includes the collection, transportation, storage, recycling or disposal of solid waste, or the subsequent use of a disposal site that is no longer operational; Remark: This law however is not yet published in the Negarit Gazette in order to have effect.

**Gambia:** Definition in preparation

The Environmental Protection, Prevention of Dumping Act of 1988 which makes provisions for the prevention of dumping of industrial wastes, defines wastes as "Any form of industrial waste product or matter, whether known to be hazardous to human health or the natural environment". However, due to technical reasons related to its implementation this Act will be replaced upon enactment of the Waste Act referred below. The National Environment Management Act (NEMA) 1994 defines wastes as: "Waste includes any matter, whether liquid, solid, gaseous, or radioactive, which is discharged, emitted, or deposited in the environment in such volume, composition or manner likely to adversely affect the environment".

**Lesotho:** Definition exists

Waste means hazardous and non-hazardous waste which includes the following substances and any of their combination which are discarded or are accumulated or stored by any person for the purpose of recovery, recycling or disposal: (a) undesirable or superfluous by-products; (b) residue or remainder of any process or activity; (c) any gaseous, liquid or solid matter.

**Madagascar:** Definition exists

"Projet de definition": In general, waste could be defined as all residues resulting from production process, transformation or use, or any substance, materials, products or more generally, any material or item which has been abandoned by its owner, either because its economic value is too small, or because it is low in quantity to justify an investment. In summary, it is an item, product or by-product which cannot be utilized for different reasons.

**Morocco:** Definition in preparation

The Law 28 -00 on Waste Management and their Disposal foresees a list of hazardous wastes, the importation of which will be banned. The Law 28-00 defines "wastes" at national level, as residues coming from the production process, from transformation or from utilization, all substances, materials, products or more generally abandoned goods, meant to be discarded, or disposed of with the aim of protecting the environment and the people. Les listes des déchets de la Convention de Bâle ainsi que les listes de l'Union Européenne sont utilisées pour contrôler les mouvements transfrontaliers des déchets dangereuses.

**Mozambique:** Definition does not exist

**Senegal:** Definition exists

Any solid, liquid or gaseous substance, or any residues coming from the production process, transformation or utilization of any other eliminated or disposed of substance, destined to be eliminated or needing to be disposed of in accordance with the laws and regulations in force.

**Tunisia:** Definition does not exist

**Uganda:** Definition exists

"Waste" includes any matter prescribed as waste, and any radio active matter, whether liquid, solid, gaseous or radioactive which is discharged, emitted or deposited into the environment in such volume, composition or manner as to cause an alteration of the environment.

**Zambia:** Definition exists

According to the Environmental Protection and Pollution Control Act (EPPCA) of 1990, amended in 1999, "waste" means garbage, refuse, sludges and other discarded substances resulting from industrial and commercial operations and from domestic and community activities, intended to be disposed of, or are disposed of or are required to be disposed of, but does not include waste water as defined in Part IV of the Act.

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**Question 2a. National Definition of waste****2005. Asia and Pacific. (Parties which did not report are not listed).**

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**Azerbaijan:** Definition in preparation

**Bahrain:** Definition exists

The definition is in accordance with the Basel Convention.

**Brunei Darussalam:** Definition exists

Waste is defined as any matter prescribed to be scheduled waste, or any matter whether in a solid, semi-solid or liquid form, or in the form of gas or vapour which is emitted, discharged or deposited in the environment in such volume, composition or manner as to cause pollution.

**Cambodia:** Definition exists

Solid Waste is defined as any hard objects, hard substances, products or refuse which are useless, disposed of, are intended to be disposed of, or are required to be disposed of. Household waste is the part of solid waste which does not contain toxic or hazardous substance and is discarded from dwellings, public building, factories, market, hotel, business building, restaurant, transport facilities, recreation site, ...etc.

**China:** Definition exists

China "Solid waste" refers to any solid, semisolid, or contained gaseous substance or material resulting from production, daily life and other activities, which lose its original utilization value, or which does not lose utilization value but is discarded, and substance or material regulated as solid waste by laws and regulations.

**Cyprus:** Definition exists

The House of Representative passed the new Law on Solid and Hazardous Waste Management on December 12, 2002. Within the new Law there is a definition of waste used for the purpose of transboundary movements of waste and it is in accordance with the provisions of the Basel Convention.

**Indonesia:** Definition exists

Article 1 paragraph 16 of Act No. 23/97 on Environmental Management, and Article 1 paragraph 1 of the Governmental Regulation Number 18/1999 (Amended by the Governmental Regulation Number 85/1999) on Hazardous Waste Management define waste as: "waste is the residue of a business and/ or activity".

**Japan:** Definition exists

Two national legislations regulate transboundary movement of waste (in broad sense) in Japan. One is the Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (hereinafter "Basel Law"). The other is the Waste Management and Public Cleansing Law (hereinafter "Waste Management Law"). The two legislations define waste in different ways, and control transboundary movement of waste independently. Definition of "waste" under the Basel Law is exactly same as that under the Basel Convention. On the other hand, the Waste Management Law defines "waste" as "refuse, bulky refuse, ashes, sludge, excreta, waste oil, waste acid and alkali, carcasses and other filthy and unnecessary matter, which are in solid or liquid state (excluding radioactive waste and waste polluted by radioactivity)". If a cargo is "waste" under the Waste Management Law and "hazardous waste" under the Basel Convention, the cargo is subject to both laws independently.

**Malaysia:** Definition exists

Waste is defined as any matter prescribed to be scheduled waste or any matter whether in a solid, semi-solid or liquid form, or in the form of a gas or vapor, which is emitted, discharged or deposited in the environment in such volume, composition or manner as to cause pollution.

**Mongolia:** Definition in preparation

**Pakistan:** Definition exists

According to Pakistan Environmental Protection Act - 1997, "waste" means any substance or object which has been, is being or is intended to be, discarded or disposed of, and includes liquid waste, solid waste, waste gases, suspended waste, industrial waste, agricultural waste, nuclear waste, municipal waste, hospital waste, used polyethylene bags and residues from the incineration of all types of waste.

**Philippines:** Definition does not exist

Under Department administrative Orders DAO 92-29, the term "waste" is not specifically defined.

**Qatar:** Definition exists

The national definition of hazardous waste is in accordance with the Basel Convention.

**Republic of Korea:** Definition exists

Pursuant to Article 2 of the Waste Management Act (enacted in 1986), the waste is defined as "any matter such as trash, fly ash, sludge, waste oil, waste acid, waste alkali and animal carcasses, which becomes unnecessary for human living or business activities." However, radioactive wastes or gaseous matters, as well as wastewater and sewage that flow into water pollution prevention facilities are not included in the definition.

**Singapore:** Definition exists

"Waste" means a substance or object that is proposed to be disposed of; or required by any written law to be disposed of.

**Sri Lanka:** Definition exists

Waste includes any matter prescribed to be waste and any matter, whether liquid, solid, gaseous or radioactive which is discharged, emitted, or deposited in the environment in such volume, constituency or manner as to cause alternation of the environment.

**Thailand:** Definition does not exist**Viet Nam:** Definition exists

New Law on Environmental Protection in 2005 (entered into force since 1 July 2006) defines that wastes are substances in form of solid, liquid, gas, which are discharged production, service, living or other activities.

**Question 2a. National Definition of waste****2005. Central and Eastern Europe. (Parties which did not report are not listed).****Albania:** Definition exists

"Wastes" are substances, objects or parts of them, determined by the relevant authority, which are no longer used or which the owner likes to carry away. These materials will be considered wastes, as long as the materials taken from them or the energy generated are not included on the production process. -law No.8934, date 5.09.2002 "On Environmental Protection".

**Belarus:** Definition exists

Wastes are substances or goods produced in the process of economic activity or life of man that do not have any certain application at site of their generation or that have lost totally or partially their consumer properties due to physical or moral obsolescence.

**Bosnia & Herzegovina:** Definition exists

"Waste" means any substance or object which the holder discards or intends or is required to discard, belongs to one of the categories and appears in the list of wastes adopted in a separate legal regulation. (Secondary law of categories waste with lists, " Official Gazette of Federation of Bosnia and Herzegovina", number: 9/05"), adopted in 16 February of 2005 year.

**Bulgaria:** Definition exists

"Waste" shall be any substance, object or part of an object which the holder discards or intends or is required to discard and which belongs to at least one of the following categories: (a) production or consumption residues not otherwise specified below: Code Q1; (b) off-specification products: Code Q2; (c) products whose date for appropriate use or for maximum effectiveness has expired: Code Q3; (d) materials spilled, lost or having undergone other mishap, impairing irreparably the original properties thereof, including any materials and equipment contaminated as a result of the mishap: Code Q4; (e) materials contaminated or soiled as a result of planned actions (residues from cleaning operations, packing materials, containers and other such): Code Q5; (f) unusable parts ( reject batteries, exhausted catalysts and other such): Code Q6; (g) substances which no longer perform satisfactorily (contaminated acids, contaminated solvents, exhausted tempering salts, and other such): Code Q7; (h) residues of industrial processes (slags, still bottoms and other such): Code Q8; (i) residues from pollution abatement processes (scrubber sludges, baghouse dusts, spent filters and other such): Code Q9; (j) machining and finishing residues (lathe turnings, mill scales and other such): Code Q10; (k) residues from raw materials extraction and processing (mining residues, oil field slops and other such): Code Q11; (l) adulterated materials (oils contaminated with polychlorinated biphenyls and other such): Code Q12; (m) any materials, substances or products whose use has been banned by law: Code Q13; (n) products for which the holder has no further use (agricultural, household, commercial, office and shop discards and other such): Code Q14; (o) contaminated materials, substances or products resulting from remedial action with respect to land: Code Q15; and (p) any materials, substances or products which are not contained in the above categories: Code Q16.

**Croatia:** Definition exists

The national definition of waste is in accordance with Article 2 of the Waste Act, Official Gazette, No. 178/04. Pursuant to this Act, waste means any substance or object determined by categories of waste by means of prescribed secondary legislation (Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste, Official Gazette, No. 50/05) pursuant to this Act, which the holder discards, intends to or must discard. List of categories of waste is in accordance with Annex I of Directive 2006/12/EC of the European Parliament and of the council of 5 April 2006 on waste.

**Estonia:** Definition exists

Waste shall mean any movable which the holder has discarded or intends or is required to discard.

**Hungary:** Definition exists

Waste shall mean any substance or object in the categories set out in Annex 1 to Act XLIII of 2000 which the holder discards or intends or is required to discard. (The Annex 1 to Act XLIII of 2000 is available in the Country Fact Sheet (Hungary) prepared by the Secretariat)

**Latvia:** Definition exists

"Waste - any object or substance which holder disposes of, or intends to or is forced to dispose of, and which conforms to the categories specified in the waste classification." (Waste Management Law, Art.1.1)

**Lithuania:** Definition exists

According to the Law No VIII-787 on Waste Management adopted on 16 June 1998, waste shall mean any

substance or object which the holder discards or intends to or is required to discard, belonging to the categories of waste, pursuant to the Annex I of this Law, and fall into the list of waste adopted by the Ministry of Environment. (Annex 1 "Categories of waste").

**Poland:** Definition exists

In the light of the Act on Waste of 27 April 2001 (O.J. of 2 June 2001, No.62, Item 628 as amended, came into force in October 2001) "waste" shall mean any substance or object in one of the categories listed in Annex I to this Act with the holder thereof discards or intends or is required to discard.

**Republic of Moldova:** Definition exists

Waste - are substances, materials or objects from Statistical classificatory of waste, which the holder or producer discards or intends or required to discard disposed through disposal.

**Romania:** Definition does not exist

In Romania there is no national definition of waste used specially for the purposes of transboundary movements. The definition of waste from the Emergency Ordinance 78/2000 for the Waste Regime modified and completed by Emergency Ordinance no.61/2006 and is generally based on the relevant definitions of the Basel Convention and the pertinent EU Directives. A definition of wastes and residues is contained in the Government Decision dealing with import of wastes of every description. This covers any materials having no value for use, and household wastes.

**Serbia and Montenegro:** Definition exists

The definition of waste and hazardous waste used for the purpose of transboundary movements are given in the Rule on Import, Export and Transit of Wastes (1999). There are two National lists of wastes with national label/code, harmonized with BC annexes and EU / OECD lists, with a few additions. These are (i) List of Hazardous wastes, and (ii) List of non-hazardous wastes (not exhibiting hazardous characteristics). The wastes from both lists are subject to transboundary movement permission and control.

**Slovakia:** Definition exists

According to the Act No. 223/2001 Coll. of Laws on Waste and on Amendment of Certain Acts as amended a waste shall mean a movable thing specified in Annex 1, which the holder discards, or wishes to discard, or is obliged to discard pursuant to the Act or special regulations (For instance, the Act of the National Council of the Slovak Republic No. 272/1994 Coll. of Laws on Human Health Protection, as amended, § 43 of the Act No. 140/1998 Coll. of Laws on Medicaments and Medical Aids, on Modification of the Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended, and on Modification and Amendment of the Act of the National Council of the Slovak Republic No. 220/1196 Coll. of Laws on Advertisement, as amended by the Act No. 119/2000 Coll. of Laws, Regulation of the Ministry of Health of the Slovak Republic No. 12/2000 Coll. of Laws on Requirements for the Provision of Radiation Protection). The national waste definition refers to the waste definition of the Directive 75/442/EEC on waste as amended. According to the Annex 1 to Act No. 223/2001 Coll. of Laws the wastes are: Production or consumption wastes not otherwise specified below; Off-specification products; Products whose date for appropriate use has expired; Materials spilled, lost or having undergone other mishap, including any materials, equipment, etc., contaminated as a result of the mishap; Materials soiled or contaminated as a result of planned actions (e.g. waste from cleaning operations, packing materials, containers); Unusable parts (e.g. rejected batteries, exhausted catalysts); Substances which no longer perform satisfactorily (e.g. contaminated acids, contaminated solvents, exhausted tempering salts); Residues of industrial processes (e.g. slags, still bottoms); Residues from pollution abatement processes (e.g. scrubber sludges, baghouse dusts, spent filters); Machining/finishing residues (e.g. lathe turnings, mill scales); Residues from raw materials extraction and processing (e.g. mining residues, oil fieldslops); Adulterated materials (e.g. oils contaminated with PCBs); Any materials, substances or products whose use has been banned by law; Products for which the holder has no further use (e.g. agricultural, household, office, commercial and shop discards); Contaminated materials, substances or products resulting from remedial action with respect to land; and Any materials, substances or products which are not contained in the above categories. The Decree No. 284/2001 Coll. of Laws on Waste Catalogue defines two categories of wastes: a) non-hazardous, b) hazardous.

**Slovenia:** Definition exists

According to Rules on Waste Management (1998) as amended definition of waste is: Waste shall be deemed to be all substances or items which are classified under any of the groups of waste specified in Annex 1A\* to these Rules and whose owner disposes them of, intend to dispose of or must dispose of them. Classification list of wastes (hereinafter: list of wastes\*\*) is determined in Annex 1 to these Rules which is an integral part of this Rules. Definition is in line with EU Waste Framework Directive - Council Directive 2006/12/EC (75/442/EEC) on waste as amended. With regard to transboundary movements of wastes applies European Council Regulation 259/93/EEC. \* list of groups of wastes which is in line with Categories of wastes from Annex I to Council Directive 2006/12/EC (75/442/EEC) on waste. \*\*in line with the list of wastes established pursuant to Article 1(1)(a) of Council Directive 2006/12/EC (75/442/EEC) on waste and Article 1(4) of Council Directive 91/689/EEC on hazardous waste.

**Ukraine:** Definition exists

"Wastes" means substances, materials or objects which are disposed of, are intended to be disposed of by their

generator or owner, or are required to be disposed of by way of utilization or disposal. (Remarks: "Disposal" means any operation, mentioned in division A of the Annex 1 to the Cabinet of Ministers of Ukraine Resolution No. 1120 of 13.07.2000. "Utilization" means any operation, mentioned in division of the Annex 1 of the same Resolution.)

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**Question 2a. National Definition of waste****2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Argentina:** Definition exists

The national definition of "waste" of Argentina is same as the Basel definition of waste (National Law 23922 - Basel Convention ratification).

**Barbados:** Definition does not exist**Bolivia:** Status not provided

Se define como desechos a aquellas sustancias u objetos las cuales deben seguir el procedimiento de disposición final y/o eliminación. Asimismo, indicar que a la fecha se tiene proyectado trabajar en la formulación de un reglamento específico, donde se definirá específicamente la palabra desechos, indicando el tipo.

**Brazil:** Definition exists

ABNT NBR 10.004 - general definition for any purpose.

**Chile:** Definition exists

En junio de 2005 entró en vigencia el Reglamento Sanitario de Manejo de Residuos Peligrosos, el cual define qué es un residuo.

**Colombia:** Definition exists

In accordance to National Decree No. 4741 of 2005, residue or waste is defined as "any object, material, substance, element or product found in a solid or semi-solid state, or is a liquid or gas contained in a vessel or otherwise deposited, which is discarded, rejected or delivered by its originator on account to the fact that its properties prevent it from being reused in the framework of the activity under which it was produced, or the fact that currently applicable legislation forbids its reutilization".

**Costa Rica:** Definition exists

Waste is "any deficient, non-usable or useless product, that its owner or user decided to eliminate or dispose." (The Basel Convention is a Law in Costa Rica: No 7438, November 18, 1994.) Waste is "any substances products or materials without a direct use, whose owner needs to dispose or is compelled to discard according with the national legislation (Decreto Ejecutivo N° 27378-S published in official newspaper "La Gaceta", June 19, 1997.

**Cuba:** Definition does not exist**Dominican Republic:** Definition exists

Wastes. All material in liquid or gaseous, or isolated solid state or mixture with others, resulting of a process of extraction of the nature, transformation, manufactured or consumption that his prossessor decides to leave. They are recognized like been accustomed to those that are not liquid or muds. In relation to the generation source the types settle down: a) Commercial Solid Waste. B) Domestic Solid Waste. C) Agricultural Waste. D) Biomedics Waste. E) Demolition or construction Waste. F) Industrial Waste. This definition is contemplated in our National Norm for the Environmental Management of remainders non dangerous that was edited in Santo Domingo, Dominican republic on June 2003 by the Secretary of State of Environment and Natural Resources (Pages 15,16).

**Ecuador:** Definition exists

Wastes are substances (solid, liquid, gaseous or mixtures) or objects which are disposed of, or are intended to be disposed of or are required to be disposed of by virtue of the national law in force.

**Guyana:** Definition does not exist**Honduras:** Definition in preparation

Definition given by the Basel Convention is in use.

**Jamaica:** Definition exists

Part I of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002 "wastes" includes any material, substance or object, or its residue or by-product, which - (a) is rejected, discarded or abandoned; or (b) is disposed of or is intended to be disposed of or is required to be disposed of in accordance



with the Regulations

**Mexico:** Definition exists

Material o producto cuyo propietario o poseedor desecha y que se encuentra en estado sólido o semisólido, o es un líquido o gas contenido en recipientes o depósitos, y que puede ser susceptible de ser valorizado o requiere sujetarse a tratamiento o disposición final conforme a lo dispuesto en esta Ley y demás ordenamientos que de ella deriven. De conformidad con el Artículo 5 Fracción XXIX de la Ley General de Prevención y Gestión Integral de Residuos, publicada en el Diario Oficial de la Federación el 08 de octubre de 2003.

**Paraguay:** Definition exists

Basura o residuos o desechos tóxicos : Sustancia o elementos resultados de los procesos industriales y productos que han sido adquiridos y/o desechados y que por su características explosivas inflamables oxidantes, tóxicas, infecciosas, radioactivas, corrosivas, ect, que puedan causar riesgos presentes a futuros a la calidad de vida de las personas o afecta al suelo , la flora, la fauna, contaminar el aire, las aguas de manera tal que dañen la salud human o ambiental de nuestro país.

**Trinidad and Tobago:** Definition exists

Waste includes any material discarded or intended to be discarded which 1. constitutes garbage, refuse, sludge, or other solid, liquid, semi-solid or gaseous material resulting from any residential, community, commercial, industrial, manufacturing, mining, petroleum or natural gas exploration, extraction or processing, agricultural, healthcare, or scientific research activities; or 2. is otherwise identified by the Authority as a waste under Section 55. Ref. Source: Environmental Management Act 2000 Part 1.

**Venezuela:** Definition exists

Waste: Material, substance, solution, mixture or object with no immediate fate provided for which must be eliminated or disposed of in a permanent manner. Hazardous Substances, Materials and Wastes Act, Ley Sobre Sustancias, Materiales y Desechos Peligrosos published in Official Gazette Extraordinary No. 5554 of 13 November 2001, and Decree 2635 containing the "Norms for the Control and Recovery of Hazardous Materials and the Management of Hazardous Wastes", published in the Official Gazette Extraordinary No. 5245 of 3 August 1998.

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**Question 2a. National Definition of waste****2005. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Definition does not exist

**Australia:** Definition exists

Waste means a substance or object that: is proposed to be disposed of; or is disposed ; or is required by a law of the Commonwealth, a State or a Territory to be disposed of.

**Austria:** Definition exists

Definition of waste is in line with EU Regulation 74/442/EEC (Article 1). For the purposes of this Directive: (a) "waste" means any substance or object which the holder disposes of or is required to dispose of pursuant to the provisions of national law in force; (1)OJ No C 32, 11.2.1975, p. 36. (2)OJ No C 16, 23.1.1975, p. 12. (3)OJ No C 112, 20.12.1973, p. 3. The national definition is laid down in article 2 of the Act on sustainable Waste Management (Federal Waste Management Act 2002), Fed. Law. Gaz. I 2002/102 as amended. The text can be obtained via Internet: <http://www.lebensministerium.at/filemanager/download/11353/> A draft English translation is available via the focal point.

**Belgium:** Definition exists

In Belgium the definition of waste and hazardous waste is in accordance with the European Law. With regard to transboundary movements of wastes the Council Regulation (EEC) N° 259/93 is applied.

**Canada:** Definition in preparation

For the purposes of transboundary there is a regulatory definition of hazardous waste, while the definition of non-hazardous waste is under development. The definition of hazardous waste for the purposes of controlling transboundary movements destined for final disposal or recycling is set out in the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHVHRMR) (see 2b, below). With respect to non-hazardous waste, the Government of Canada has undertaken consultations in the development of regulations for international movements of non-hazardous wastes destined for final disposal. The definition of non-hazardous wastes for final disposal will likely include wastes generated from specific sources which are covered by the proposed regulations. Consistent with international definitions, the initial focus is on municipal solid wastes, including household or residential waste, as well as residues from the incineration of municipal solid waste. Furthermore, in Canada, each province and territory defines wastes within their jurisdiction and for the licensing or certification of authorized facilities. These definitions include requirements for both disposal and recycling. Information regarding definitions for each province and territory can be found at <http://www.ec.gc.ca/wmd-dgd/default.asp?lang=En&n=7DA57C1E-1>

**Finland:** Definition exists

According to Section 3 of the Finnish Waste Act (1072/1993) "Waste shall mean any substance or object which the holder discards, intends, or is required, to discard." This definition is identical to the definition of waste in the Council Directive of the European Communities on waste (2006/12/EC).

**France:** Definition exists

"Waste" shall mean any substance or object in the categories set out in annex I of the directive 2006/12/EC of the European parliament and of the council of 5 April 2006 on waste , which the holder discards or intends or is required to discard.

**Germany:** Definition exists

In Germany the provisions of the Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the EC (EC Waste Movement Regulation) apply. Concerning the definition of waste the regulation refers to the Waste Framework Directive (75/442/EEC) as amended. Article 1 (a) reads: "waste" shall mean any substance or object in the categories set out in Annex I which the holder discards or intends or is required to discard." Annex I - Categories of waste: Q1 Production or consumption residues not otherwise specified below Q2 Off-specification products Q3 Products whose date for appropriate use has expired Q4 Materials spilled, lost or having undergone other mishap, including any materials, equipment, etc., contaminated as a result of the mishap Q5 Materials contaminated or soiled as a result of planned actions (e.g. residues from cleaning operations, packing materials, containers, etc.) Q6 Unusable parts (e.g. reject batteries, exhausted catalysts, etc.) Q7 Substances which no longer perform satisfactorily (e.g. contaminated acids, contaminated solvents, exhausted tempering salts, etc.) Q8 Residues of industrial processes (e.g. slags, still bottoms, etc.) Q9 Residues from pollution abatement processes (e.g. scrubber sludges, baghouse dusts, spent filters, etc.) Q10 Machining/finishing residues (e.g. lathe turnings, mill scales, etc. Q11 Residues from raw materials extraction and processing (e.g. mining residues, oil field slops, etc.) Q12 Adulterated materials (e.g. oils contaminated with PCBs, etc.) Q13 Any materials, substances or products whose use has been banned by law

Q14 Products for which the holder has no further use (e.g. agricultural, household, office, commercial and shop discards, etc.) Q15 Contaminated materials, substances or products resulting from remedial action with respect to land Q16 Any materials, substances or products which are not contained in the above categories.

**Greece:** Definition exists

Definition of waste is in Directive 45/722/EEC (Article 1a)), as amended and implemented in national law (Common Ministerial Decision 50910/2727/16-12-2003).

**Ireland:** Definition exists

Section 4(1)(a) of the Waste Management Act, 1996, as amended defines waste to mean any substance or object belonging to a category of waste specified in the First Schedule (of the Act), or for the time being included in the European Waste Catalogue which the holder discards or intends to or is required to discard, and anything which is discarded or otherwise dealt with as if were waste shall be presumed to be waste until the contrary is proved.

**Israel:** Definition does not exist

**Italy:** Definition exists

The national definition of waste is in accordance with the Legislative Decree No. 22/97, Legislative Decree No 152/2006 and Council Regulation (EEC) No. 259/93 adopted from Council Directive 75/442/EEC on Waste.

**Liechtenstein:** Definition exists

For transboundary movements the national waste definition is used (Swiss Federal Law relating to the Protection of the Environment; Art. 7 Para 6), which is compatible with the waste Definition of the Basel Convention. "Waste means all moveable materials of which the owner rids himself or disposal of which is necessary in the public interest".

**Luxembourg:** Definition exists

The definition of waste is in accordance with the directive 75/442/EEC.

**Monaco:** Definition does not exist

**Netherlands:** Definition exists

The Netherlands uses the EC definition of waste as described in Directive 2006/12/EC, Article 1.

**New Zealand:** Definition exists

The definition of waste is specified in the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at [www.legislation.govt.nz](http://www.legislation.govt.nz). "waste" means any substance or object that is - (a) intended to be disposed of by any of the methods specified in Part 4 of Schedule 3; or (b) required, by any law of New Zealand, to be disposed of by any of the methods specified in Part 4 of Schedule 3.

**Norway:** Definition exists

Pollution Control Act, Chapter 5 On waste, § 27 Definitions, first paragraph: "For the purpose of this Act, the term waste means discarded objects of personal property or substances. Surplus objects and substances from service industries, manufacturing industries and treatment plants, etc., are also considered to be waste. Waste water and exhaust gases are not considered to be waste." Section 27 also contains definitions of household waste, industrial waste, and special waste (including hazardous waste). A translation of the Pollution Control Act may be found at <http://www.regjeringen.no/en/doc/Laws/Acts/Pollution-Control-Act.html?id=171893> (NB! The translation is for information use only).

**Spain:** Definition exists

According to the Act 10/1998 on Wastes, Article 3, Definitions, "wastes" are those substances or objects falling under any of the categories referred to in the annex to the present Act, which the holder discards, has the intention or is required to discard. In any case, substances or objects (which fulfill the above condition) and listed in the European Waste Catalogue approved by the Community institutions should always be considered as wastes. (For categories of wastes appearing in the annex to the Act, see annex II to the questionnaire) (The version in force of the European Waste Catalogue/List has been adopted by Decision 2000/532/EC of the Commission of European Communities of 3rd May 2000, amended by Decisions of the Commission 2001/118/EC of 16th January 2001, 2001/119 of 22nd January 2001, and Decision of the Council 2001/573 of 23rd July 2001. The European Waste List has been published in the Spanish Official Gazette of 19th February 2002 by Orden MAM/304/2002).

**Sweden:** Definition exists

Waste means any substance or object in the categories set out in a list of waste categories which the holder discards or intends to or is required to discard. For the purpose of transboundary movements of waste EU regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European

Community defined what waste should be controlled.

**Switzerland:** Definition exists

For transboundary movements the national waste definition is used (Federal Law relating to the Protection of the Environment; Art. 7 Para 6), which is compatible with the waste Definition of the Basel Convention. "Wastes mean all moveable materials of which the owner rids himself or disposal of which is necessary in the public interest."

**Turkey:** Definition exists

According to the Turkish Environment Law, official paper of 11 August 1983 (No. 18132), waste is harmful substances discharged into or dumping in the environment as a result of any activity.

**United Kingdom of Great Britain and Northern Ireland:** Definition exists

'Waste', including wastes subject to transboundary movements, is defined in Article 1(a) of the EC Framework Directive on Waste (Council Directive 75/442/EEC as amended by 91/156/EEC and Council Decision 96/350/EEC). Article 1(a) provides that 'waste' shall mean any substance or object in the categories set out in Annex I [to the Directive] which the holder discards or intends or is required to discard.

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**Question 2b. National Definition of Hazardous waste****2005. Africa. (Parties which did not report are not listed).**

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**Algeria:** Definition exists

Hazardous special wastes: all special waste which by its constituents or by characteristics of hazardous matters that hold back are susceptible to be harmful to public health and for the environment.

**Botswana:** Definition does not exist**Burundi:** Status not provided

Tous les déchets, sous quelque état physique que ce soit, qui en raison de leurs propriétés corrosives, toxiques, vénéneuses, réactives, explosives, inflammables, biologiques, infectieuses ou irritantes représentant un danger pour l'équilibre écologique ou pour l'environnement tel que répondant à la définition de l'article 2 de la convention de Bamako de 30 janvier 1991 (cfr Loi n° 1/010 du 30 juin 2000 portant code de l'environnement du Burundi).

**Cameroon:** Definition exists

Sont considérés comme déchets toxiques et/ou dangereux, les matières contenant des substances inflammables, explosives, radioactives, toxiques présentant un danger pour la vie des personnes, des animaux, des plantes et pour l'environnement. Cette définition est donnée par la Loi N° 89/027 du 29 décembre 1989 portant sur les déchets toxiques et dangereux.

**Djibouti:** Definition exists

Loi cadre sur l'environnement: Article 43 : Au sens de la présente loi, on entend par déchet dangereux, toute substance chimique nocive ou dangereuse qui, en raison de sa toxicité, de sa radioactivité, ou de sa concentration dans les chaînes biologiques, présente ou est susceptible de présenter un danger pour l'homme et son environnement. La liste des déchets dangereux sera fixée par voie réglementaire ( en cours d'élaboration).

**Ethiopia:** Definition exists

"Hazardous Waste" means any unwanted material that is believed to be deleterious to human safety or health or the environment (Article 2 sub-article 9, Environmental Pollution Control Proclamation, Proclamation No. 300/2002).

**Gambia:** Definition in preparation

Under the Waste Bill that is being prepared, Hazardous Wastes Regulations are being elaborated. The definition of hazardous waste will be broader than Basel definition and will cover radio-active wastes.

**Lesotho:** Definition exists

Hazardous waste means waste which has the potential to have significant adverse effect on human health or the environment on account of its inherent chemical and physical characteristics, such as toxicity, flammability, corrosiveness, carcinogenicity or other properties.

**Madagascar:** Definition exists

A waste is considered hazardous when it is likely to cause harmful effects to human health and/or the environment. Therefore, hazardous wastes can be corrosive, caustic, toxic, carcinogenic, explosive, inflammable or carry harmful germs. Definition of a national project of hazardous wastes which will be adopted later after being adopted by the National Assembly. This definition is out of the national legislation concerning the environmentally sound management of solid, liquid and pasty wastes in Madagascar.

**Morocco:** Definition exists

"Déchets dangereux: toutes formes de déchets qui, par leur nature dangereuse, toxique, réactive, explosive, inflammable, biologique ou bactérienne, sont susceptibles de constituer un danger dans ce domaine ou contenu dans des annexes complémentaires qui seront fixées par voie réglementaire (selon la loi No. 11-03 relative à la protection et à la mise en valeur de l'environnement".

**Mozambique:** Definition exists

Both Article 1 of the Environmental Law 20/97, and Article 1 of the Decree 13/2006, the Regulation of waste Management (definition section), hazardous wastes and residues are substances destined for elimination, and posing a risk to human health or the environment due to one or more of the characteristics listed in the provision. The definition is in accordance with the Annexes I, II and III of the Basel Convention.

**Senegal:** Definition does not exist

**Tunisia:** Definition exists

In Tunisia there is a national definition of hazardous wastes. Tunisian list (list available on request) of hazardous wastes consists of (i) wastes contained in Annex I (hazardous wastes list) and; (ii) any other waste containing any Annex II constituents and exhibits any Annex III hazard characteristics. Each hazardous waste is assigned a six digit code.

**Uganda:** Definition exists

"Hazardous waste" means any waste specified in the Fifth Schedule or any waste having the characteristics defined in the Second Schedule and determined in accordance with guidelines set out in the Third Schedule of The National Environment (Waste Management) Regulations 1999. The definition of hazardous waste under the waste management regulations follows the standard definitions laid out in Annexes I, II and III of the Basel Convention. The only modification however, is the inclusion of carcinogenic and radioactive wastes. The waste management regulations lay down in detail the substances, which are considered hazardous, and this list closely follows the list laid down in the Bamako convention, which was preferred to that of the Basel Convention due to its comprehensive coverage.

**Zambia:** Definition exists

According to the Hazardous Waste Management Regulations Statutory Instrument Number 125 of 2001 "hazardous waste" means waste, including objects, articles or substances, which is poisonous, corrosive, irritant, explosive, inflammable, toxic or harmful to man, animal, plant or environment.

**Question 2b. National Definition of Hazardous waste****2005. Asia and Pacific. (Parties which did not report are not listed).****Azerbaijan:** Definition exists

Transfer of hazardous cargo and wastes by car transport was approved by decree No. 10 of the cabinet of ministers from 27.01.2000 and transfer by railway by decree No. 207 as from 20.11.2000.

**Bahrain:** Definition exists

1. Hazardous Waste: any solid, semi-solid or liquid matter containing gaseous waste or a group of compounds of waste that may lead to a hazard or potential hazard to public health, environment and wildlife because of their quantity, concentration, physical, chemical or biological properties when they are managed in an environmentally improper manner. Such waste include the following: a. All waste having the characteristics or properties mentioned in Appendix 4 of this Resolution, including chemical waste, defined as unusable chemical products, or products that do not conform to the standards, or materials that remain of container contents or remains of leaking materials that belong to one of the categories mentioned in Appendix 3. b. All waste belonging to one of the categories mentioned in Appendix 3 and possess any of the properties mentioned in Appendix 4 or if they are a mixture of hazardous waste and other materials. C. Any waste that exceed the standard concentration mentioned in Appendix 5 after carrying out the Toxicity Characteristic Leaching Procedure (TCLP). d. All hazardous waste mentioned in Appendix 6 of this Resolution. e. Any other waste defined by the Competent Authority as hazardous waste.

**Brunei Darussalam:** Definition exists

Hazardous waste is also identified as "Scheduled Wastes", which is defined as any waste falling within the categories of waste listed in the Fourth Schedule of the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Definition exists

Hazardous waste is defined as any substances that are radioactive, explosive, toxic, inflammable, pathogenic, irritating, corrosive, oxidizing, or other chemical substances which may cause danger to human and animal health or damage plants, public property and the environment.

**China:** Definition exists

China "Hazardous wastes" means solid wastes included in the national catalogue of hazardous waste or solid wastes which, according to the identification standards of hazardous wastes, are determined as having the hazardous property. Hong Kong Special Administrative Region, China: The list of hazardous wastes for the purpose of control on waste import and export in Hong Kong Special Administrative Region (HKSAR) is specified in the Seventh Schedule (Annex I, available upon request from the Secretariat) of the Waste Disposal Ordinance (WDO), the Laws of Hong Kong Chapter 354. Under the WDO, contaminated wastes are also controlled as hazardous wastes. For the purpose of control on import and export of wastes under the WDO, a waste is "contaminated" if it is contaminated by a substance to an extent which - Significantly increases the risk of human health, property or the environment associated with the waste; or - Prevents the reprocessing, recycling, recovery or re-use of the waste in an environmentally sound manner.

**Cyprus:** Definition exists

The House of Representative passed the new Law on Solid and Hazardous Waste Management on December 12, 2002. Within the new Law there is a definition of hazardous waste used for the purpose of transboundary movements of waste and it is in accordance with the provisions of the Basel Convention.

**Indonesia:** Definition exists

Article 1 paragraph 18 of the Act No. 23/97 and Article 1 paragraph 2 of the Governmental Regulation No. 18/1999 (Amended by the Governmental Regulation No. 85/1999) share almost similar definition for Hazardous Waste. Hazardous Waste is the residue/leftover from business activities that contain hazards and/or toxicants due to its nature and/or its concentration and/or its amount which directly as well as indirectly, could pollute and/or deteriorate the environment, and/or harmful to the environment, health, the continuation of human life and other living creatures.

**Japan:** Definition exists

Hazardous wastes defined by the Basel Law are as follows: A. The following materials which are exported or imported for the disposal operations listed in Annex IV of the Basel Convention. 1. Materials listed in Annex I of the Convention and having one or more hazardous characteristics listed in Annex III of the Convention; 2. Materials listed in Annex II of the Convention; 3. Materials to be notified to the Secretariat of the Convention by the Government of Japan through the designation by the Cabinet Order in accordance with Section 1 or 2 of Article 3 of the Convention; and 4. Materials informed by the Secretariat of the Convention in accordance with Section 3 of Article 3 of the Convention. B. Materials, exportation, importation, transportation (including storage) and disposal of

which must be regulated based on bilateral, multilateral or regional agreements or arrangements defined in Article 11 of the Convention. (The Waste Management Law also defines hazardous waste as "Special Control Waste (hereinafter SCW)" independently, but import/export regulations under the Waste Management Law do not differ between SCW and non-SCW.)

**Malaysia:** Definition exists

Hazardous waste is defined as any waste falling within the categories of waste listed in the First Schedule of the Environment Quality (Scheduled Wastes) Regulations 2005.

**Mongolia:** Definition exists

The national definition of the hazardous waste is given below as at Article 3 of the Mongolian Law for prohibition of import, transboundary movement of hazardous waste and its export. Article 3: National definition of hazardous waste. 3.1 As defined in Basel convention on the control of transboundary Movement of hazardous wastes and their disposal, hazardous waste is that any waste which due to their characteristics or having teratogenic and mutagenic adverse impacts on the human and animal health or causing loss of ecological balance. 3.2 Hazardous waste includes: wastes of organic peroxides, oxidizing contact with air, water, soil emit flammable or toxic gases and radioactive, flammable liquids or solids, explosive and corrosive. 3.3 The detailed definition of the hazardous waste exhibiting hazard characteristics is given in paragraph 2, Article 3, of this law shall be defined by the State Administrative Central Organization responsible for environmental issues in cooperation with relevant qualified authorities.

**Pakistan:** Definition exists

According to Pakistan Environmental Protection Act-1997, a "Hazardous Waste" means wastes which is or which contains a hazardous substance or which may be prescribed as hazardous waste and includes hospital waste and nuclear waste. The Act defines "Hazardous substance" as (a) a substance or mixture of substance, other than a pesticide as defined in the Agricultural Pesticide Ordinance, 1971 (II of 1971), which, by reason of its chemical activity is toxic, explosive, flammable, corrosive, radioactive or other characteristics causes, or is likely to cause, directly or in combination with other matters, an adverse environmental effect; and (b) any substance which may be prescribed as a hazardous substance.

**Philippines:** Definition exists

"Hazardous waste" are substances that are without any safe commercial, industrial, agricultural or economic usage and are shipped, transported or brought from the country of origin for dumping or disposal into or in transit through any part of the territory of Philippines. "Hazardous wastes" shall also refer to by-products, side-products, process residues, spent reaction media, contaminated plant or equipment or other substances from manufacturing operations and as consumer discards of manufactured products which present unreasonable risk and /or injury to health and safety and to the environment.

**Qatar:** Definition exists

The national definition of hazardous waste is in accordance with the Basel Convention.

**Republic of Korea:** Definition exists

Pursuant to provisions in Article 2 of the Presidential Decree of the Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal, hazardous waste is defined as: 1. Waste listed in Annex I or Annex VIII that exhibit any of the hazardous characteristics listed in Annex III. 2. Waste listed in Annex II. 3. Waste that Korea has notified to the convention secretariat as being hazardous pursuant to Article III Paragraph I and II and Article XI. The specified list of hazardous wastes controlled by Korean Government was notified by the Ministry of Environment (MoE) in 1998.

**Singapore:** Definition exists

"Hazardous waste" means waste controlled as hazardous waste under the Basel Convention. The list of hazardous wastes for the purpose of transboundary movements are specified in the Hazardous Waste (Control of Export, Import and Transit) Act. The list follows the list of hazardous waste under the Basel Convention and includes wastes listed in Annex VIII (List A) and exclude wastes listed in Annex IX (List B).

**Sri Lanka:** Definition exists

All wastes defined in the Annex I of the Basel Convention and radioactive waste are considered as hazardous waste. Annex VIII and IX will be used for controlling purposes, and if the waste does not appear on either of these lists, Annex I and III will be used for decision making.

**Thailand:** Definition exists

Hazardous wastes to be controlled for the import and export are defined in the List of Hazardous Substances Item: chemical wastes in the "Notification of Ministry of Industry on List of hazardous substances" B.E. 2546 (2003) issued under the Hazardous Substance Act. B.E. 2535 (1992) in accordance with the wastes listed in Annex VIII of the Basel Convention (List A).



**Viet Nam:** Definition exists

Regulations on Hazardous Waste Management (issued by Decision 155/1999/QĐ-TTg dated 16 July 1999 of the Prime Minister) defines that hazardous wastes are wastes which contains substances or compounds/mixtures having one of directly hazardous characteristics (flammable, explosive, poisonous, corrosive, infectious or other toxic characteristics) or which, by interaction with other substances, harm the environment and human health. This document is going to be expired soon. Law on Environmental Protection in 2005 (entered into force since 1 July 2006) similarly defines that hazardous wastes are wastes containing toxic, radioactive, flammable, explosive, corrosive, infectious, poisonous components or other hazardous characteristics. A new List of Hazardous Waste is drafted and will be issued within 2006.

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**Question 2b. National Definition of Hazardous waste**

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**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

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**Albania:** Definition exists

"Hazardous wastes" are the erosive, toxic, corrosive, explosive, inflammable, carcinogenic, infective and radioactive substances that can alter the natural state of water, soil or air with grave consequences for human health and natural ecosystems. - law No.8934, date 5.09.2002 "On Environmental Protection".

**Belarus:** Definition exists

Hazardous wastes are wastes that contain as their constituents substances possessing any hazardous property or they set (toxicity, infectious, explosivity, high reaction ability and (or) other similar properties) and existing in such amounts and in such form that this waste independently or in contact with other substances can represent immediate or potential threat to environment, people health and (or) to people property including that caused by their adverse impact on environment.

**Bosnia & Herzegovina:** Definition exists

"Hazardous waste" means any waste which is covered by separate regulations and which has one or more of the properties, which poses a hazard to human health and to the environment due to its origin, composition or concentration, and which is listed in the list of wastes adopted by a separate regulation as hazardous.

**Bulgaria:** Definition exists

"Hazardous waste" shall be waste whereof the composition, amount and properties present risks to human health and the environment, which possesses one or more properties which define it as hazardous, and/or which contains components which render it into hazardous waste and/or which is designated as such according to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

**Croatia:** Status not provided

The national definition of hazardous waste is in accordance with article 3 of the Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste (Official Gazette, No. 50/05). This Regulation establishes categories, types and classification of waste depending on its properties and place of origin, and determines the waste catalogue, list of hazardous waste and list of waste in transboundary transport. Pursuant to this Regulation, hazardous waste is waste determined by categories (generic types) and composition, and it must contain one or more properties as determined in the List of hazardous waste which is in accordance with Council Directive of 12 December 1991 on hazardous waste. Waste catalogue and list of waste in transboundary transport mentioned above are entirely compiled with Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

**Estonia:** Definition exists

Hazardous waste is defined by § 6 and 8 of the Waste Act (2004). § 6. Hazardous waste "Hazardous waste" means waste which due to at least one of the hazardous properties set out in § 8 of this Act may cause a hazard to health, property or the environment. § 8. Hazardous properties of waste The hazardous properties on the basis of which waste is considered hazardous are similar to the hazardous properties of: 1) H1- explosive substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene; 2) H2- oxidising substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances; 3) H3-A- highly flammable liquid substances and preparations having a flash point below 21°C (including extremely flammable liquids), or substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or gaseous substances and preparations which are flammable in air at normal pressure, or substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities; 4) H3-B- flammable liquid substances and preparations having a flash point equal to or greater than 21°C and less than or equal to 55°C; 5) H4- irritant non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membranes, may cause inflammation; 6) H5- harmful substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve health risks; 7) H6- toxic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks or death; 8) H7- carcinogenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence; 9) H8- corrosive substances and preparations which may destroy living tissue on contact; 10) H9- infectious substances containing micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms; 11) H10- teratogenic substances and preparations and substances and preparations toxic for reproduction which, if inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence; 12) H11- mutagenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence; 13) H12- substances and preparations

which release toxic or very toxic gases in contact with water, air or an acid; 14) H13- substances and preparations capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the properties listed in clauses 1) -13) of this section; 15) H14- substances and preparations which are ecotoxic or dangerous for the environment and present or may present immediate or delayed risks for one or more sectors of the environment.

**Hungary:** Definition exists

Hazardous waste shall mean waste displaying one or more of the properties listed in Annex II to Act XLIII of 2000 and/or containing such substances or components hazardous to health and/or the environment because of its origin, composition or concentration. Otherwise the Environmental Ministerial Decree No. 16/2001 (VII.18) adopted the EWC codes and marked with \* the hazardous waste within this EWC list. National definition of hazardous waste takes into account the definitions of the Hungarian legislation and the international codes e.g. OECD: Green-Amber-Red list, EWC code, IWIC definition, UN class, Basel Convention Y code etc. As the State of Export, Hungary will not allow the generator or exporter to commence the transboundary movement until the exporter and the state of export have received the written consents of the States of Transit and Import. (The Annex 2 to Act XLIII of 2000 is available in the Country Fact Sheet (Hungary) prepared by the Secretariat)

**Latvia:** Definition exists

"Hazardous waste- waste which has one or more characteristics which makes it hazardous to human life and health, the environment, or the property of persons, and which conforms to a hazardous waste category specified in the waste classification."(Waste Management Law, Art.4.1)

**Lithuania:** Definition exists

According to the Law No VIII-787 on Waste Management adopted on 16 June 1998, waste indicated as hazardous in the list of waste, having one or several hazardous properties listed in Annex 4 of this Law and conforming to the criteria of hazardous waste adopted by the Ministry of Environment. Also any other waste non-indicated as hazardous in the list of waste however having one or several hazardous properties and conforming to the criteria of hazardous waste. (Annex 4 "Properties of waste which render them hazardous").

**Poland:** Definition exists

In the light of the Act on Waste of 27 April 2001 (came into force in October 2001), "hazardous waste" shall mean waste: 1) belonging to the categories or types of waste featuring in List A in Annex II to this Act and displaying at least one of the properties enumerated in Annex IV to this Act; or 2) belonging to the categories or types of waste featuring in List B in Annex 2 to this Act, containing any of the constituents enumerated in Annex 3 and displaying at least one of the properties enumerated in Annex IV to this Act. Annex II features categories or types of hazardous waste. Annex III features constituents of wastes which render them hazardous. The minister responsible for the environment laid down the ordinance on the waste catalogue (O.J. of 2001, No.112, Item 1206). The new national list of hazardous waste is a part of waste catalogue. New waste classification is consistent with EU classification.

**Republic of Moldova:** Definition does not exist

Definition from EU Directives is used. Hazardous waste - waste which has one or more of the properties listed in List A (Annex 1 to Regulation on the control of transboundary movements of waste and their disposal).

**Romania:** Definition does not exist

In Romania there is no national definition of hazardous waste used specially for the purposes of transboundary movements (see 2 a). The Basel Convention definition of the hazardous waste is used.

**Serbia and Montenegro:** Definition exists

The definition of hazardous waste used for the purpose of transboundary movements is given in the Rule on Import, Export and Transit of Wastes (1999). There are two National lists of wastes with national label/code, harmonized with BC annexes and EU / OECD lists, with a few additions. These are (i) List of Hazardous wastes, and (ii) List of non-hazardous wastes (not exhibiting hazardous characteristics). The wastes from both lists are subject to transboundary movement permission and control.

**Slovakia:** Definition exists

According to the Act No. 223/2001 Coll. of Laws on waste and on amendment of certain acts as amended - hazardous waste shall mean waste featuring one or several hazardous characteristics listed in Annex 4 Hazardous characteristics of wastes (H codes). The Annex 4 is equal to the Annex 3 of the EU Directive 91/689/EEC. The Decree No 284/2001 Coll. of Laws enacting Waste Catalogue as amended by subsequent regulations harmonized with European Waste Catalogue distinguishes two waste categories: - non-hazardous; - hazardous. The annex 2 of this Decree refers to the Basel Convention list of hazardous waste characteristics (H codes). Hazardous wastes are considered wastes: a) Listed in Annex VIII to the Basel Convention; b) Designated as hazardous in the Waste Catalogue; c) Included in the Amber List of Wastes, or included in the Red List of Wastes; and d) Listed in Annex IX to the Basel Convention and containing substances listed in Annex I to the Basel Convention within a scope causing the occurrence of dangerous properties listed in Annex III to the Basel Convention. The annex I of the

Basel Convention is used for identification of hazardous wastes in the reporting.

**Slovenia:** Definition exists

According to Rules on Waste Management (1998) as amended definition of hazardous waste is: Hazardous waste shall be deemed to be waste marked with asteriks next to the classification number of waste in the classification list of wastes\*\*. Hazardous wastes are classified to the list of wastes from the previous paragraph on the basis of Annex 2A\*\*\* to these Rules. It shall be deemed that the hazardous waste has one or more of the hazardous properties from Annex 3 to these Rules. Definition is in line with Council Directive 91/689/EEC on hazardous waste as amended. With regard to transboundary movements of wastes applies European Council Regulation 259/93/EEC. \*\*in line with the list of wastes established pursuant to Article 1(1)(a) of Council Directive 2006/12/EC (75/442/EEC) on waste and Article 1(4) of Council Directive 91/689/EEC on hazardous waste. \*\*\*Annex 2A consists of Part 1: List of groups and general types of hazardous wastes and Part 2: List of constituents of wastes which render them hazardous if they possess also hazardous properties from Annex 3. It is in line with the Annex I (Categories or Generic types of hazardous waste listed according to their nature or activity which generated them) and Annex II (Constituents of wastes in Annex IB which render them hazardous when they have properties described) of Council Directive 91/689/EEC on hazardous waste.

**Ukraine:** Definition exists

"Hazardous wastes" means wastes included into division A of the Yellow List of wastes, which is approved by the Cabinet of Ministers of Ukraine, and have one or more hazardous properties mentioned in the List of hazardous properties, which is approved by the Ministry of Environment Protection, and included into the Green List, which is approved by the Cabinet of Ministers of Ukraine, in case when they contain materials, mentioned in the Annex 2 to the Cabinet of Ministers of Ukraine Resolution of 13.07.2000 No. 1120, in such quantities that can reveal hazardous properties described in the List of hazardous wastes mentioned above.

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**Question 2b. National Definition of Hazardous waste****2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Argentina:** Definition exists

"Hazardous Waste" is any waste that belongs to any category contained in annex I of the Basel Convention "or" any waste that possess any of the characteristic listed in annex III of the Basel Convention. (National Law No. 24051 of Hazardous Wastes). Industrial and Other Activities Wastes Management are under the scope of Minimum Provision Law which is in process of reglamentation. Wastes listed in annex II of the Basel Convention, are under the scope of another Minimum Provision Law, concerning Domestic Wastes, which is in process of reglamentation. Household wastes with a hazardous characteristic listed in Annex III of the Basel Convention are covered by National Law 23.922 (Basel Convention approval). Radioactive wastes and wastes derived from the normal operations of a ship are excluded from the scope of National Law of Hazardous Wastes because they are ruled by other regulations and international instruments.

**Barbados:** Definition does not exist

There is no legal definition of hazardous waste. Shipments of hazardous waste materials however, are shipped in accordance with procedures and guidelines established under the Basel Convention. However, a definition is proposed in the revised "Policy Paper: Management of Toxic Chemicals and Hazardous Waste." Hazardous waste means waste that has one or more of the following properties: 1. has flashpoint of less than 61°C; 2. ignites and propagates combustion in a test sample; 3. at a rate that is equal to or greater than that provided by ammonium persulfate, potassium perchlorate or potassium bromate; 4. the pH value is less than 2.0 or greater than 12.5; 5. it contains polychlorinated biphenyls at a concentration equal to or greater than 50mg/kg; 6. its leachate contains any substance listed in Table 2 in excess of the concentrations listed; and 7. it contains any of the following substances in a concentration greater than 0.001mg/L: Hexachloro-dibenzo-p-dioxins Pentachloro-dibenzo-p-dioxins Tetrachloro-dibenzo-p-dioxins Hexachloro-dibenzofurans Pentachloro-dibenzofurans Tetrachloro-dibenzofurans. "Special wastes" are non-hazardous wastes that require special handling and disposal procedures. These would include, for example: gasoline contaminated soil and wastes from international flights or ports.

**Bolivia:** Status not provided

A la fecha en Bolivia e la legislación nacional se utiliza el término "Residuos Peligrosos" y no así "desecho peligroso", y su definición es el siguiente, RESIDUOS PELIGROSOS: Son aquellos que conllevan riesgo potencial al ser humano o al ambiente, por poseer cualquiera de las siguientes características: corrosividad, explosividad, inflamabilidad, patogenicidad, bioinfecciosidad, radiactividad, reactividad y toxicidad. Asimismo, indicar que a la fecha se tiene proyectado trabajar en la revisión del Reglamento para Actividades con Sustancias Peligrosas.

**Brazil:** Definition exists

Hazardous Waste - Class I - are those belonging to any category listed in the Annex 1-A to 1-C of the CONAMA Resolution no 23, from December 12, 1996, unless they do not present any characteristics listed in Annex II of the same legislation. Furthermore, the Brazilian legislation defines as 'hazardous' all wastes listed in Annex 10-A (Hazardous Wastes - Class I - Importation Prohibited) of the CONAMA Resolution no 235, from January 7, 1998, and as 'controlled' all the wastes listed in Annex 10-B (Non-Inert Wastes - Class II - Controlled by IBAMA) of the Resolution.

**Chile:** Definition exists

En junio de 2005 entró en vigencia el Reglamento Sanitario de Manejo de Residuos Peligrosos, el cual define qué residuos son considerados como peligrosos. Esta nueva definición ya fue notificada a la Secretaría del Convenio.

**Colombia:** Definition exists

According to National Decree No. 4741 of 2005, hazardous waste is defined as the wastes or disposals whose corrosive, reactive, explosive, toxic, flammable, infectious or radioactive properties may cause danger or risk for human health and the environment. Those vessels, packaging and other containers that have been in contact with such substances, are similarly considered as hazardous wastes.

**Costa Rica:** Definition exists

Hazardous waste are all solids, liquids, and semisolids substances located in containers, due to its chemical reactivity, toxic, explosive, radioactive, comburent, flammable, irritant, corrosive, or comburent or other characteristics like theratogenic, mutagenic, carcinogenic or neurotoxic, that could produce damage to human health or the natural environment.

**Cuba:** Definition does not exist**Dominican Republic:** Definition exists

**Hazardous Waste:** Solid remainder or semisolid that by its toxic, reactive, corrosive, radioactive, inflammable, explosive or pathogenic characteristics raises a substantial risk, real or potential, to the human health or to environment. This definition is contemplated in our National Norm for the Environmental Management of remainders non dangerous that was edited in Santo Domingo, Dominican republic on June 2003 by the Secretary of State of Environment and Natural Resources (Pages 15).

**Ecuador:** Definition exists

Hazardous wastes are those solid, mixed, liquid or gaseous wastes resulting from a process of production, transformation, recycling, use or consumption which contain some compounds with reactive, inflammable, corrosive, infectious or toxic characteristics that represent a risk to human health, natural resources or the environment according to existing legal provisions.

**Guyana:** Definition in preparation

But not related to Transboundary movement. As defined in the Environmental Protection Hazardous Waste Regulations 2000 "hazardous waste" means a waste or combination of wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may pose a substantial hazard to human health and belong to any category contained in Schedule I unless they do not contain any of characteristics contained in Schedule II and includes waste that is- (i) hazardous industrial waste; (ii) acute hazardous waste chemical; (iii) hazardous waste chemical; (iv) severely toxic waste; (v) flammable waste; (vi) corrosive waste; (vii) reactive waste; (viii) radioactive waste; (ix) clinical waste; or (x) leachate toxic waste, or polychlorinated biphenyl was.. And includes a mixture of acute hazardous waste chemical, hazardous waste chemical, pathological waste, radioactive waste or severely toxic wastes and any other waste or hazardous material; (f) "hazardous waste chemical" means a commercial waste chemical having a generic name specified in Schedule I.

**Honduras:** Definition in preparation

Definition given by the Basel Convention is in use.

**Jamaica:** Definition exists

Pursuant to the paragraph 2 of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement), "Hazardous waste" means - a) waste that belongs to any category contained in the First Schedule unless it does not possess any of the characteristics specified in the Third Schedule; b) waste which belongs to any category contained in the Second Schedule; and c) Such waste as the Minister, by order, may declare to be hazardous

**Mexico:** Definition exists

Son aquellos que posean alguna de las características de corrosividad, reactividad, explosividad, toxicidad, inflamabilidad, o que contengan agentes infecciosos que les confieran peligrosidad, así como envases, recipientes, embalajes y suelos que hayan sido contaminados cuando se transfieran a otro sitio, de conformidad con lo que se establece en esta Ley. De conformidad con el Artículo 5 Fracción XXXII de la Ley General de Prevención y Gestión Integral de Residuos, publicada en el Diario Oficial de la Federación el 08 de octubre de 2003.

**Paraguay:** Definition exists

Sustancia o elementos resultados de los procesos industriales y productos que han sido adquiridos y/o desechados y que por su características explosivas inflamables oxidantes, tóxicas, infecciosas, radioactivas, corrosivas, ect, que puedan causar riesgos presentes a futuros a la calidad de vida de los personas o afecta al suelo , la flora, la fauna, contaminar el aire, las aguas de manera tal que dañen la salud human o ambiental de nuestro país.

**Trinidad and Tobago:** Definition does not exist

Draft Waste Management Rules are being prepared by the competent authority, that is the Environmental Management Authority.

**Venezuela:** Definition exists

Hazardous waste: Simple or compound material in a solid, liquid or gaseous state which has hazardous properties or is composed of hazardous substances, whether or not it preserves its physical, chemical or biological properties, and for which no use is found with the result that a method of final disposal must be employed. The term includes receptacles containing or having contained such wastes. Recoverable hazardous material: Material which has hazardous characteristics but after serving a specific purpose still retains useful physical and chemical properties and therefore may be reused, recycled, regenerated or used for the same or another purpose. Hazardous Substances, Materials and Wastes Act, Ley Sobre Sustancias, Materiales y Desechos Peligrosos published in Official Gazette Extraordinary No. 5554 of 13 November 2001, and Decree 2635 containing the "Norms for the Control and Recovery of Hazardous Materials and the Management of Hazardous Wastes", published in the Official Gazette Extraordinary No. 5245 of 3 August 1998.

**Question 2b. National Definition of Hazardous waste****2005. Western Europe and Others. (Parties which did not report are not listed).****Andorra:** Definition does not exist

The following are defined in article 3 as hazardous waste: "Are considered hazardous waste: - that figuring in appendix I to the Basel Convention of 22 May 1989 in accordance with section 1a) or article 1 of this Convention; - that qualified as hazardous under community law and regulations; - that prescribed by the Government in the form of regulation.

**Australia:** Definition exists

Hazardous waste means: (a) waste prescribed by the regulations, where the waste has any of the characteristics mentioned in Annex III to the Basel Convention; or (b) wastes covered by paragraph 1(a) of Article 1 of the Basel Convention; or (c) household waste; or (d) residues arising from the incineration of household waste; but does not include wastes covered by paragraph 4 of Article 1 of the Basel Convention. Note 1: Section 4A provides for an extended meaning of hazardous waste. The extended meaning relates to the following matters: (a) a case where a foreign country has classified a particular substance or object as hazardous waste; (b) a case where a foreign country has classified waste collected from households as hazardous waste. Note 2: Section 4F provides for an extended meaning of hazardous waste. The extended meaning relates to substances or objects subject to notification or control under Article 11 arrangements.

**Austria:** Definition exists

The definition of hazardous waste is laid down in the Ordinance on a Waste Catalogue (Fed. Law Gaz. II 2003/570, as amended by Fed. Law Gaz. II 2005/89). The text can be obtained via Internet: <http://www.lebensministerium.at/filemanager/download/10520/>

**Belgium:** Definition exists

In Belgium the definition of waste and hazardous waste is in accordance with the European Law. With regard to transboundary movements of wastes the Council Regulation (EEC) N° 259/93 is applied.

**Canada:** Definition exists

In Canada, the definition of hazardous waste for the purposes of controlling transboundary movements destined for final disposal or recycling is set out in the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRM). These Regulations came into force on November 1st, 2005 and replaced the former Export and Import of Hazardous Wastes Regulations (EIHW) of 1992. In order to meet this definition, a hazardous waste or hazardous recyclable material must be intended for a listed disposal or recycling operation and either be found on a series of lists comprised of substances and mixtures, or meet one of the hazard class characteristics (set out in Annex A of this Notification). Specific testing, criteria and protocols exist in the Canadian Transportation of Dangerous Goods Regulations (TDGR) for the following hazard classes (which in most cases are analogous to the Basel Annex III characteristic identified): substances that are gases or aerosols, flammable liquids (H3), flammable solids (H4.1), liable to spontaneous combustion (H4.2), emit flammable gases in contact with water (H4.3), oxidizing (H5.1), organic peroxides (H5.2), poisonous (H6.1), infectious (H6.2), corrosive (H8), hazardous to the environment (H12), leachate toxic (H13), or are otherwise designated as hazardous. Those substances which are explosive (H1) or radioactive are excluded from the definition for waste and are controlled under other Canadian federal legislation. Finally, the EIHWHRM define as hazardous for the purpose of export from Canada, any waste for which Canada has received information from the United States or in accordance with the Convention, that is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit. Please see annex A for the definitions of Hazardous waste as defined in EIHWHRM under section 1. (1) with its related schedules and the definition of Hazardous Recyclable Material as defined in EIHWHRM under section 2.(1) with its related schedules. Furthermore, in Canada, each province and territory defines hazardous wastes within their jurisdiction and for the licensing or certification of authorized facilities. These definitions include requirements for both disposal and recycling. Information regarding definitions for each province and territory can be found at <http://www.ec.gc.ca/wmd-dgd/default.asp?lang=En&n=7DA57C1E-1> Annex A: Hazardous Recyclable Material as defined in EIHWHRM under section 2.(1) means anything that is intended to be recycled using one of the operations set out in Schedule 2 and that (a) is set out in column 2 of Schedule 3; (b) is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations; (c) is set out in column 2 of Schedule 4 and is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations; (d) is set out in column 1 of Schedule 5 in a concentration equal to or greater than the applicable concentration set out in column 2 of that Schedule; (e) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/ Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3; (f) is set out in column 2 of Schedule 7, is pure or is the only active ingredient, and is unused; or (g) according to information that Canada has

received from the United States or in accordance with the Convention, is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit. The definition "hazardous recyclable material" in subsection (1) does not include anything that is (a) exported, imported or conveyed in transit in a quantity of less than 5 kg or 5 L per shipment or, in the case of mercury, in a quantity of less than 50 mL per shipment, other than anything that is included in Class 6.2 of the Transportation of Dangerous Goods Regulations; (b) collected from households in the course of regular municipal waste collection services; (c) part of the exporter's or importer's personal effects or household effects not resulting from commercial use; (d) exported to, imported from, or conveyed in transit through a country that is a party to OECD Decision C(2001)107/Final and that (i) is in a quantity of 25 kg or 25 L or less, (ii) is exported or imported for the purpose of conducting measurements, tests or research with respect to the recycling of that material, (iii) is accompanied by a shipping document, as defined in section 1.4 of the Transportation of Dangerous Goods Regulations, that includes the name and address of the exporter or importer and the words "test samples" or "échantillons d'épreuve", and (iv) is not and does not contain an infectious substance as defined in section 1.4 of the Transportation of Dangerous Goods Regulations; or (e) exported to, imported from, or conveyed in transit through a country that is a party to OECD Decision C(2001)107/Final and that (i) is set out in Schedule 8, (ii) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3, and (iii) is intended to be recycled at an authorized facility in the country of import using one of the operations set out in Schedule 2. For SCHEDULE 1 (Subsection 1(1), section 4, subparagraphs 8(j)(i) and (viii) and 9(f)(iv), paragraphs 9(n) and (o), subparagraph 16(e)(iv), paragraphs 16(m) and (n) and subparagraph 38(1)(a)(i)), please refer to the Basel Convention website at: <http://www.basel.int/natdef/03e-canada.pdf>

**Finland:** Definition exists

According to the Waste Act (1072/1993) hazardous waste shall mean any waste which may cause particular harm to health or the environment because of its chemical or some other property. The waste definition is further defined in the Waste Decree (1390/1993). According to it, hazardous waste shall mean any waste listed in Annexes 2 (classes of hazardous wastes, 40 items) and 3 (substances according to which wastes are classified hazardous, C-list, 51 items) of the Decree if they are referred to as hazardous waste in the list of the most common waste and hazardous wastes (Ministry of the Environment Decree 1129/2001). The Annexes 2-4 of the Waste Decree are in accordance with the Annexes I, II and III of the Council Directive of the European Communities on hazardous waste (91/689/EEC), respectively, and the above-mentioned list of wastes and hazardous wastes is based on the respective EC legislation.

**France:** Definition exists

The national definition of hazardous waste used for the purpose of transboundary movements is in accordance with EU Regulation 259/93.

**Germany:** Status not provided

In Germany hazardous wastes are defined in accordance with the EU Directive on Hazardous Waste (91/689/EEC) as amended. Article 1(4) reads: "For the purpose of this Directive "hazardous waste" means wastes featuring on a list to be drawn up ..... on the basis of Annexes I and II to this Directive,.....These wastes must have one or more of the properties listed in Annex III. The list shall take into account the origin and composition of the waste and, where necessary, limit values of concentration.....It is noted that Annex I.B and Annex II of this EU Directive are different from Annex I and Annex III of the Basel Convention and contain additional wastes as follows: ANNEX I.B - Wastes which contain any of the constituents listed in Annex II and having any of the properties listed in Annex III and consisting of: 19. Animal or vegetable soaps, fats, waxes 21. Inorganic substances without metals or metal compounds 22. Ashes and/or cinders 23. Soil, sand, clay including dredging spoils 24. Non-cyanidic tempering salts 25. Metallic dust, powder 26. Spent catalyst materials 27. Liquids or sludges containing metals or metal compounds 28. Residue from pollution control operations (e.g. baghouse dusts, etc.) 29. Scrubber sludges 30. Sludges from water purification plants 31. Decarbonization residue 32. Ion-exchange column residue 33. Sewage sludges, untreated or unsuitable for use in agriculture 34. Residue from cleaning of tanks and/or equipment 35. Contaminated equipment 36. Contaminated containers (e.g. packaging, gas cylinders, etc.) 37. Batteries and other electrical cells 38. Vegetable oils 39. Materials resulting from selective waste collections from households 40. Any other wastes Annex II - Wastes having as constituents: C2 Vanadium compounds C4 Cobalt compounds C5 Nickel compounds C10 Silver compounds C15 Barium compounds C12 Tin compounds C19 Inorganic sulphides C22 Lithium, sodium, potassium, calcium, magnesium in uncombined form C28 Peroxides C29 Chlorates C30 Perchlorates C31 Azides C35 Infectious substances (partly covered by BC) C36 Creosotes (partly covered by BC) C37 Isocyanates; thiocyanates C43 Aromatic compounds; polycyclic and heterocyclic organic compounds C44 Aliphatic amines C45 Aromatic amine C48 Sulphur organic compounds C51 Other hydrocarbons and their oxygen; nitrogen and/or sulphur compounds It is also noted that Annex III of EU Directive 91/689/EEC is partly different from Annex III of the Basel Convention. Through EU Decision 2000/532/EC as amended a list of waste as refer to the definition above has been established. The list has been implemented in Germany by the Waste List Ordinance which entered into force on 1 January 2001. Wastes classified as hazardous are considered to display one or more of the properties listed in Annex III of EU Directive 91/689/EEC and, as regards H3 to H8, H10 and H11 of the said Annex, one or more of the following characteristics: - flash point = 55 °C, - one or more substances classified as very toxic at a total concentration = 0,1



%, - one or more substances classified as toxic at a total concentration = 3 %, - one or more substances classified as harmful at a total concentration = 25 %, - one or more corrosive substances classified as R35 at a total concentration = 1 %, - one or more corrosive substances classified as R34 at a total concentration = 5 %, - one or more irritant substances classified as R41 at a total concentration = 10 %, - one or more irritant substances classified as R36, R37, R38 at a total concentration = 20 %, - one substance known to be carcinogenic of category 1 or 2 at a concentration = 0,1 %, - one substance known to be carcinogenic of category 3 at a concentration = 1 % - one substance toxic for reproduction of category 1 or 2 classified as R60, R61 at a concentration = 0,5 %, - one substance toxic for reproduction of category 3 classified as R62, R63 at a concentration = 5 %, - one mutagenic substance of category 1 or 2 classified as R46 at a concentration = 0,1 %, - one mutagenic substance of category 3 classified as R 40 at a concentration = 1 %. The classification as well as the R numbers refer to EU Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labeling of dangerous substances as amended. The concentration limits refer to those laid down in EU Council Directive 88/379/EEC on the approximation of the laws, regulations and administrative provisions of the EU Member States relating to the classification, packaging and labeling of dangerous preparations as amended.

**Greece:** Definition exists

Definition of hazardous waste is in Directive 91/689/EEC, as amended and implemented in national law (Common Ministerial Decision 19396/1546/1997 -2003).

**Ireland:** Definition exists

Section 4(2)(a) of the Waste Management Act, 1996, as amended defines hazardous waste to mean a waste specified in the European Waste Catalogue/ Hazardous Waste List (EWC/HWL), which has one or more hazardous properties specified in the Second Schedule of the Act. The Minister for the Environment, Heritage and Local Government may prescribe a waste which is not specified in the HWL if it has one or more hazardous properties specified in the Second Schedule of the Act.

**Israel:** Definition exists

A substance of any type containing a hazardous substance as defined by the law, which is disposed of or is destined for disposal, or which has to be disposed of by the order of the Minister. The law referred to above is the Hazardous Substances Law 1993. The Hazardous Substances Law defines hazardous substances as "harmful chemicals" or "poisons" which are specified in the annexes to the Law. The Hazardous Substances Law came into force in 1993, and the Hazardous Substances Regulations (Import and Export of Hazardous Substances Waste), which address transboundary movement, came into force in 1994.

**Italy:** Definition exists

The general definition of hazardous waste is set by the DLGS No. 22/97, DLGS No 152/2006 adopting the Council Directive 91/689/EEC. For the purpose of transboundary movements, the lists of Council Regulation 259/93 are adopted.

**Liechtenstein:** Definition exists

For transboundary movements the national special waste (hazardous waste) definition is used (Swiss Federal Law relating to the Protection of the Environment; Art. 30f Para 1), which is compatible with the hazardous waste Definition of the Basel Convention Art 1.1.a and 1.1 b Basel Convention. "Special waste is waste whose disposal requires special measures".

**Luxembourg:** Definition exists

The definition of hazardous waste is in accordance with the directive 91/689/CEE. The Commission Decision 2000/532/CE was adopted.

**Monaco:** Definition does not exist

However, several legal texts concerning the management of wastes highlight the character of hazardousness of certain categories of wastes which are collected in selective manner and managed adequately. However, in all events the Basel Convention's definitions are applicable to all services concerned.

**Netherlands:** Definition exists

For the purpose of transfrontier movement of waste, the Netherlands uses the EC definition of hazardous waste.

**New Zealand:** Definition exists

The definition of hazardous waste is specified in the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at [www.legislation.govt.nz](http://www.legislation.govt.nz). "hazardous waste" means any waste that - (a) either - (i) falls into 1 of the categories of waste specified in Part 1 of Schedule 3; or (ii) has as a constituent any substance specified in Part 2 of Schedule 3; and (b) has any of the hazardous characteristics specified in Part 3 of Schedule 3.

**Norway:** Definition exists

According to that regulation the Norwegian regulation on waste, art. 11-3, "hazardous waste means waste that cannot be treated appropriately together with other household waste because it may cause serious pollution or involve a risk of injury to people and animals." An unofficial translation of the Waste regulation may be found at [http://www.sft.no/seksjonsartikkel\\_\\_\\_\\_30216.aspx](http://www.sft.no/seksjonsartikkel____30216.aspx).

**Spain:** Definition exists

According to Spanish legislation, "Hazardous wastes" refer to: wastes identified in the European Waste List as hazardous (see Orden MAM/304/2002 in the Spanish Official Gazette of 19th February 2002 and reply to question 2a); wastes which have been classified as hazardous in pursuance of Community law; and wastes which the Government can approve in accordance with the established European laws or international agreements to which Spain is a Party.

**Sweden:** Definition exists

In the Waste Ordinance (SFS 2001:1063) hazardous waste is waste that is marked with an asterisk in annex 2 of the Ordinance or any other waste that exhibits one or more of the characteristics that are mentioned in annex 3 of the Ordinance. Annex 2 is the List of Wastes and annex 3 is the List of characteristics that render wastes hazardous wastes.

**Switzerland:** Definition exists

For transboundary movements the national special waste (hazardous waste) definition is used (Federal Law relating to the Protection of the Environment; Art. 30f Para 1), which is compatible with the hazardous waste Definition of the Basel Convention Art. 1.1(a) and 1.1(b). "Special wastes are waste whose disposal requires special measures."

**Turkey:** Definition exists

According to the By-Law on Control of Hazardous Waste published in the official paper of 14 March 2005 (No. 25755), hazardous wastes are those wastes deemed within the scope of Annex I and II of the Basel Convention and having one or several of the hazardous characteristics included and/or specified within Annex III of the Convention, and materials polluted by these wastes. Under Turkish Regulation, hazardous wastes lists performed according to the (i) Reasons why materials are intended for disposal, (ii) Disposal operations, (iii) List of hazardous characteristics and (iv) Constituents of potentially hazardous wastes. Medical waste, gypsum, waste oils, ashes from incineration plants, used batteries and accumulators, mining waste, used tires and slaughterhouse waste are defined as "special wastes" according to the Turkish legislation. These wastes of which some are generated in huge quantities (especially gypsum and ashes), of which are hazardous and some are not. Therefore special treatments are necessary to dispose of these wastes. Draft Regulations on used tires, end of life vehicle, waste electric and electronic equipment and ashes from incineration plants have been prepared.

**United Kingdom of Great Britain and Northern Ireland:** Definition exists

Council Regulation (EC) No 1013/2006 on shipments of waste ('the WSR') which applies from 12 July 2007 provides the means for supervising and controlling shipments of waste within, into and out of the EC. The WSR is the means by which the UK and other EU Member States implement the Basel Convention and OECD Decision C (2001)107/FINAL. On the 14 June 2001, the OECD Council amended the OECD Decision C(92)39/FINAL. In order to implement that amendment in community legislation, a revision of the old Waste Shipment Regulation 259/93 EEC was necessary. While the WSR does not include a definition of "hazardous waste", wastes listed in Annex IV and certain ones in Annex V of the WSR are controlled as hazardous. All shipments of hazardous and non-hazardous waste for disposal are subject to hazardous waste control procedures. Shipments outside the OECD are controlled subject to the rules in relation to Annex V of the WSR, and a separate European Commission regulation which is to be adopted.

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**Question 2c. Article 1(1)b wastes****2005. Africa. (Parties which did not report are not listed).**

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**Algeria:** Art. 1(1)b waste exists

Another definition exist to hazardous wastes in the article 03 of Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes: Special wastes: any wastes issued from industrial, agricultural, surgery, service activities and all other activities that in reason of their nature and the composition of their elements cannot be collected, transported and treated within the same conditions as the housing wastes, assimilated and inert. Special hazardous wastes: any wastes that in reason of its constitution or their characteristics of the noxiousness of their matters could be harmful on the public health and or environment.

**Botswana:** Art. 1(1)b waste does not exist**Burundi:** Art. 1(1)b waste exists

Les déchets qui appartiennent à l'une des catégories figurant à l'annexe I de la convention de Bamako.

**Cameroon:** Art. 1(1)b waste does not exist**Djibouti:** Art. 1(1)b waste list under preparation**Ethiopia:** Art. 1(1)b waste exists

The phrase "any unwanted material" under the definition of "hazardous wastes"(Section 2b: national definition of hazardous waste) is so broad that it includes such wastes as radioactive wastes. Besides Ethiopia is a party to the Bamako Convention which defines hazardous waste in a broad manner.

**Gambia:** Art. 1(1)b waste list under preparation

These wastes are yet to be determined.

**Lesotho:** Art. 1(1)b waste does not exist**Madagascar:** Art. 1(1)b waste exists

Déchets contenant des éléments radioactifs et amiante Déchets encombrant (vieux réfrigérateurs, vieilles carcasses de voitures, ferraille, tout bien meuble abandonné,...)

**Morocco:** Art. 1(1)b waste exists

"En effet, la loi sur la protection et la mise en valeur de l'environnement en vigueur depuis 2003 définit les déchets dangereux comme toutes formes de déchets qui, par leur nature dangereuse, toxique, réactive, explosive, inflammable, biologique ou bactérienne, sont susceptibles de constituer un danger pour l'équilibre écologique tel que fixé par les normes internationales dans ce domaine ou contenu dans les annexes complémentaires qui seront fixées par voie réglementaire. La loi 28-00 sur la gestion et l'élimination de déchets, régit dans son chapitre VI le mouvement transfrontière des déchets ainsi la liste nationale de déchets dangereux est en cours d'élaboration. Le Maroc ne dispose pas encore d'une liste nationale de déchets dangereux: nous utilisons les listes de la Convention de Bâle et celles de l'Union Européenne".

**Mozambique:** Art. 1(1)b waste does not exist**Senegal:** Art. 1(1)b waste does not exist**Tunisia:** Art. 1(1)b waste exists

Wastes included in the Tunisian definition of hazardous wastes that are in addition to those defined under Art. 1 (1) a of the Basel convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Uganda:** Art. 1(1)b waste exists

Uganda further regulated wastes containing/contaminated by radio-nuclides, (the concentration or properties of which result from human activity) and carcinogenic wastes as hazardous wastes.

**Zambia:** Art. 1(1)b waste exists

Schedule 4 (Regulation 3), Schedule 5 (Regulation 3), Schedule 6 of the Hazardous Waste Management Regulations, 2001, provides a list of hazardous waste, list of hazardous characteristics (Annex III of the Basel Convention) and categories of wastes to be controlled (Annex I of the Basel Convention) respectively.

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**Question 2c. Article 1(1)b wastes****2005. Asia and Pacific. (Parties which did not report are not listed).**

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**Azerbaijan:** Art. 1(1)b waste does not exist

**Bahrain:** Art. 1(1)b waste does not exist

**Brunei Darussalam:** Art. 1(1)b waste list under preparation

The control of additional wastes as hazardous that are not included in Art. 1(1)a of the Basel Convention and would be controlled for the purpose of Transboundary movements pursuant to Art. (1) will be prepared in the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Art. 1(1)b waste exists

Cambodia is in the process of amending the list of wastes annexed to its hazardous waste sub-decree.

**China:** Art. 1(1)b waste exists

China Nickel compound waste (code: HW46; source of the waste: wastes of nickel compound; reactionary residue and unqualified products from the production; overdue nickel catalysts; nickel residue and tank liquid from the electroplating process; waste nickel compounds from analysis, chemical examination and testing). Barium compound waste (code: HW47; source of the waste: wastes of barium compounds excluding barium sulfate; reactionary residue and unqualified products from the production of barium compound; salt bath residue from the heat treatment process; wasted barium compound from analysis, chemical examination and testing).

**Cyprus:** Art. 1(1)b waste does not exist

**Indonesia:** Art. 1(1)b waste exists

The Government Regulation No. 85/1999 regarding Hazardous Waste Management lists these wastes: Table 1: List of hazardous waste from non-specific sources; Table 2: List of hazardous waste from specific sources; and Table 3: List of hazardous waste from overdue chemicals that are expired, spilled package residue or off-specific action products. These lists are available on the Basel Convention website ([www.basel.int](http://www.basel.int))

**Japan:** Art. 1(1)b waste does not exist

Japan regulates/controls only wastes included in Art.1 (1)a of the Basel Convention for the purpose of transboundary movements of hazardous wastes under the Basel Convention.

**Malaysia:** Art. 1(1)b waste exists

These wastes are: slags from copper processing; oil tanker sludges; waste catalysts; and waste gypsum arising from power plant. Import of waste from European Community will be considered as Amber List. The lists are as follows: (a) GA. Metal and metal-alloy waste in metallic, non-dispersible form GA 150 7802 00 Lead waste and scrap GA 240 ex8107 10 Cadmium waste and scrap (b) GG. Other wastes containing principally inorganic constituents, which may contain metal and organic materials GG 010, GG 020, GG 030, GG 040, GG 100, GG 110, GG 140 (c) GH. Solid plastic wastes All categories of plastic wastes (d) GJ. Textile wastes All categories of textile wastes (e) GK. Rubber wastes All categories of rubber wastes (f) GM. Waste arising from agro-food industries All categories (g) GN. Waste arising from tanning and fellmongery operations and leather use All categories (h) GO. Other wastes GO 010, GO 020, GO 030, GO 050 The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Mongolia:** Art. 1(1)b waste does not exist

**Pakistan:** Art. 1(1)b waste does not exist

**Philippines:** Art. 1(1)b waste exists

Putrescible/abattoir wastes. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Qatar:** Art. 1(1)b waste does not exist

**Republic of Korea:** Art. 1(1)b waste exists

The Amber Tier wastes determined by OECD are additionally controlled for the purpose of transboundary movement.

**Singapore:** Art. 1(1)b waste does not exist**Sri Lanka:** Art. 1(1)b waste exists

Radioactive wastes are controlled as hazardous.

**Thailand:** Art. 1(1)b waste exists

Thailand has defined the list of hazardous waste for the purpose pursuant to Art. (1) b in the Notification of Ministry of Industry B.E. 2548 (2005) issued pursuant to the provisions in the Factory Act B.E. 2535 (1992) on Disposal of Wastes or Unusable Materials. The categories of industrial hazardous wastes were defined and listed in 4 items as follows: Thailand has also defined the used of electrical and electronic equipments and their parts and components as hazardous substances type 3 to be controlled for the import in to the Kingdom of Thailand in accordance with the "Notification of Ministry of Industry on List of hazardous substances" B.E. 2546 (2003) issued pursuant to the Hazardous Substance Act B.E. 2535 (1992). In case of import of such equipments, the importer/consignee/factory shall follow procedures under the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003).

**Viet Nam:** Art. 1(1)b waste does not exist

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**Question 2c. Article 1(1)b wastes**

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**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

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**Albania:** Art. 1(1)b waste exists

According to the Albanian legislation, all types of waste (hazardous or not) that are object of import, export and transboundary movements are object of control and they need special permission from Council of Ministers ( for import of waste) and permission from Minister of Environment (for export and transboundary movements). During 2005, MoE and Custom Office prepared a new list of non-hazardous waste which will be allowed to import in Albania., based on Green List of Regulation 259/93/EEC.

**Belarus:** Art. 1(1)b waste exists

Appendix 1 to the Resolution of State Custom Committee "On Improvement of Custom Control over Waste Movement through Custom Border of the Republic of Belarus" (of 12.03.1999 N 134-OD) provides a "List of Industrial and Consumption Wastes, which can not be processed or used in the Republic of Belarus"; Appendix 2 to the Resolution of State Custom Committee "On Improvement of Custom Control over Waste Movement through Custom Border of the Republic of Belarus" (of 12.03.1999 N 134-OD) provides a "List of Industrial and Consumption Wastes, which can be processed or used in the Republic of Belarus, permits for their import (transit) are given by the Ministry of Natural Resources and Environmental Protection." (Appendices 1 and 2 are available in Country Fact Sheet (Belarus) prepared by the secretariat) The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Bosnia & Herzegovina:** Art. 1(1)b waste does not exist**Bulgaria:** Art. 1(1)b waste exists

Republic of Bulgaria regulates wastes from the Amber and Red list of waste according to Regulation EEC/259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

**Croatia:** Art. 1(1)b waste does not exist**Estonia:** Art. 1(1)b waste exists

The list of hazardous waste is defined in the EU by the Directive on Hazardous Waste (91/689/EEC) and Commission Decision 2000/532/EC on a list of wastes. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Hungary:** Art. 1(1)b waste exists

Here in Hungary we use the EWC of EU. In our understanding the EWC\* hazardous waste list contain 107 waste codes which are not compatible with Y codes of Basel Convention. As mentioned under question 2b of the Questionnaire on "Transmission of Information", hazardous waste definition was completed by adaptation of European Waste Catalog specification with a marking that EWC is more or less different as former Hungarian Hazardous Waste list. These conditions need to be taken into account when looking at earlier data in Table 8A and Table 8B.

**Latvia:** Art. 1(1)b waste does not exist**Lithuania:** Art. 1(1)b waste exists

After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania.

**Poland:** Art. 1(1)b waste exists

National list of hazardous waste is defined in the ordinance of the Minister of Environment on the waste catalogue (O.J of 2001, No.112, Item 1206). Catalogue is based on European Waste List. Waste are divided into 20 groups. Catalogue defines groups, subgroups, types of waste and their codes (six figures). Two first figures mean the source of generation, two next figures describe subgroup of waste and the whole six figures codes means type of waste. Hazardous waste are marked on the list with asterisk. Polish national list of hazardous waste covers all types of hazardous waste stipulated in European Waste Catalogue and additionally covers the below mentioned waste which are consider hazardous under national legislation: 01 03 80\* Tailings from enrichment by flotation of non-iron metal ores that contain hazardous substances 01 04 80\* Tailings from enrichment by flotation of coal that

contain hazardous substances 01 04 82\* Tailings from enrichment by flotation of sulfide ores that contain hazardous substances 01 04 84\* Tailings from enrichment by flotation of phosphoric ores (phosphorites, apatites) that contain hazardous substances 02 01 80\* Dead animals and animals slaughtered out of necessity as well as animal tissue waste, that exhibit hazardous properties 02 02 80\* Animal tissue waste that exhibits hazardous properties 03 01 80\* Waste from chemical processing of wood that contain hazardous substances 05 06 80\* Liquid wastes that contain phenols 07 04 80\* Expired plant protection agents, toxicity class I and II (highly toxic and toxic) 07 05 80\* Liquid wastes containing hazardous substances 09 01 80\* Expired photography reagents 10 11 81\* Asbestos-containing waste 16 81 Waste resulting from accidents and unplanned events 16 81 01 \* Wastes exhibiting hazardous properties 16 82 Waste resulting from natural disasters 16 82 01 \* Wastes exhibiting hazardous properties 18 01 80\* Used therapeutic baths, biologically active, with infectious capability 18 01 82\* Food remains from feeding patients residing in infectious unit The national definition of hazardous waste covers also wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Republic of Moldova:** Art. 1(1)b waste does not exist

**Romania:** Art. 1(1)b waste does not exist

**Serbia and Montenegro:** Art. 1(1)b waste exists

1. National waste code: W59-2-00000-Y45 - Used equipments and goods (including refrigerators, packaging material, barrels, containers and transport vehicles) which contain, or include or contaminated with chlorofluorocarbons (refrigerate fluids, isolation, etc); 2. National waste code: W59-3-00000-000 - Used fluorescent tubes, lamps and similar; 3. National waste code: W62-2-00000-Y45 - Used equipments and goods (including fire fighter instruments and appliances, packaging materials, barrels, containers and transport vehicles) which contain, or include or contaminated with halons; 4. National waste code: W92-1-00000-000 - Every single contingent which contain medicines, chemicals, pharmaceuticals and similar, and different products, with expired date for usage for declared purpose; 5. National waste code: W92-2-00000-000 - Used goods importing in the big quantities, which will be the problem for the environmentally sound management in country when become the waste after the declared usage due date (used tires and similar); 6. National waste code: W92-3-00000-000 - Used and old equipments, units and materials for waste treatment and waste final disposal, as well as their parts and residual materials from treatment; and 7. National waste code: W92-4-00000-000 - Mixtures of wastes and mixed different waste streams with not in details defined properties; and 8. National waste code: W92-5-00000-000 - Wastes with radioactive characteristics, only in case if there are not covered with different existing set of regulations for radioactive wastes.

**Slovakia:** Art. 1(1)b waste exists

The national Waste Catalogue covers all types of hazardous waste listed in the European Waste Catalogue. There are marked with the letter "N". A waste codes ending with two digits "99" (wastes not otherwise specified) have no category. Waste holders classify their waste and eliminate unjustified waste classification into the category non-hazardous in the case, when the composition of the waste is adequately defined and based on its composition it is possible to classify this waste explicitly as hazardous one. According to the first digits of the waste code a source of generation can be identified and than to address the waste a relevant code listed in Annexes I, II, and VIII. In some cases it is not easy to address relevant Y code to a specific code considering the range of Y codes listed in the Annex 1. On the other hand sometimes it is possible to address one or more Y codes according to the Annex 1 of the Basel Convention to one code of hazardous waste listed in the EU-waste list. The national definition of hazardous waste covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>). Since 1st May 2004 the transboundary movements of wastes is governed by Council Regulation No 259/93/EC on the supervision and control of shipments of waste within, into and out of the European Community as amended by subsequent regulations and the Treaty of Accession of the SR to the EU. Based on the Treaty of Accession of the SR to the EU all consignments of wastes to Slovakia, destined for recovery operations, listed in Annexes II, III, IV of Council Regulation No 259/93/EC, as well as the consignments of wastes not listed in these annexes, will be the subject of notification to the relevant bodies and procedures according to the provisions of the Articles 6, 7 a 8 of Council Regulation No 259/93/EC by 31st December 2011.

**Slovenia:** Art. 1(1)b waste exists

With regard to transboundary movements of wastes applies European Council Regulation 259/93/EEC. The subject of control is: - in the case of movements destined for recycling: - waste listed in Annex III and IV - any waste not listed in Annex II, III, IV and V of European Council Regulation 259/93/EEC, - waste destined for final disposal - in the case of export out of EU: waste which is subject of control in the country of destination.

**Ukraine:** Art. 1(1)b waste exists

60 Petrol sludge containing lead; 79 Residues from operation on the industrial wastes disposal; and 80 Wastes from production, receiving and use of photo-chemicals or materials for treatment of photochemicals. According to the national legislation of Ukraine Decision of the Cabinet of Ministers of Ukraine No. 1120 from July, 13, 2000 "On the approval of Regulations about the control for transboundary movements of hazardous waste and their



recycling / removal and the Yellow and Green list of waste " in the Basis of the unit A the list A of Basel convention (the annex VIII to Basel convention) is put. In accordance with the subitem "a" item 1 of Article 1 of the Basel convention the waste listed in this section are hazardous. In addition to it three positions (serial numbers 60 - Gasoline sludge which contains lead Y31, AC040; 79 - the Remnants from operations on removal of industrial wastes Y18; 80 - Waste products of manufacture, reception and application of photochemicals or materials for processing photographic materials Y16, AD090 are included. According to the list A, 43 - Waste products which contain, consist or are polluted with sludge of antidetonation compounds with addition of lead A3030, RC030.

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**Question 2c. Article 1(1)b wastes****2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Argentina:** Art. 1(1)b waste exists

Any waste possessing any of the characteristics contained in Annex III to the Basel Convention. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Barbados:** Art. 1(1)b waste does not exist**Bolivia:** Art. 1(1)b waste does not exist

A la fecha aún se maneja las listas indicadas por la Convención de Basilea.

**Brazil:** Art. 1(1)b waste does not exist**Chile:** Art. 1(1)b waste exists

Se notificó a la Secretaría del Convenio aquellos residuos adicionales, no incluidos en el Anexo I. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Colombia:** Art. 1(1)b waste exists

The Article 81 of the Colombian Political Constitution (dated 1991) forbids the introduction of toxic and nuclear wastes into the national territory.

**Costa Rica:** Art. 1(1)b waste does not exist**Cuba:** Art. 1(1)b waste does not exist**Dominican Republic:** Art. 1(1)b waste does not exist**Ecuador:** Art. 1(1)b waste list under preparation**Guyana:** Art. 1(1)b waste does not exist**Honduras:** Art. 1(1)b waste does not exist**Jamaica:** Art. 1(1)b waste does not exist**Mexico:** Art. 1(1)b waste exists

Mexico regulates the import and export of the wastes defined as dangerous by the Mexican regulation and they are listed in the Mexican official regulation NOM-052-ECOL-93, as well as those that are dangerous after the application of the analysis CRETIB (Test for corrosiveness, reactivity, explosiveness, toxicity, inflammability and biological infectious) whose parameters and limits are described in the same regulation. <http://www.semarnat.gob.mx> Así mismo, se controlan los residuos considerados peligrosos de conformidad con el Artículo 31 de la Ley General de Prevención y Gestión Integral de Residuos, publicada el 8 de octubre de 2003 en el Diario Oficial de la Federación y que son: I. Aceites lubricantes usados; II. Disolventes orgánicos usados; III. Convertidores catalíticos de vehículos automotores; IV. Acumuladores de vehículos automotores conteniendo plomo; V. Baterías eléctricas a base de mercurio o de níquel-cadmio; VI. Lámparas fluorescentes y de vapor de mercurio; VII. Aditamentos que contengan mercurio, cadmio o plomo; VIII. Fármacos; IX. Plaguicidas y sus envases que contengan remanentes de los mismos; X Compuestos orgánicos persistentes como los bifenilos policlorados; XI. Lodos de perforación base aceite, provenientes de la extracción de combustibles fósiles y lodos provenientes de plantas de tratamiento de aguas residuales cuando sean considerados como peligrosos; XII. La sangre y los componentes de ésta, sólo en su forma líquida, así como sus derivados; XIII. Las cepas y cultivos de agentes patógenos generados en los procedimientos de diagnóstico e investigación y en la producción y control de agentes biológicos; and XIV. Los residuos patológicos constituidos por tejidos, órganos y partes que se remueven durante las necropsias, la cirugía o algún otro tipo de intervención quirúrgica que no estén contenidos

en formol, y; and XV. Los residuos punzo-cortantes que hayan estado en contacto con humanos o animales o sus muestras biológicas durante el diagnóstico y tratamiento, incluyendo navajas de bisturí, lancetas, jeringas con aguja integrada, agujas hipodérmicas, de acupuntura y para tatuajes.

**Paraguay:** Art. 1(1)b waste does not exist

**Trinidad and Tobago:** Art. 1(1)b waste does not exist

**Venezuela:** Art. 1(1)b waste does not exist

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**Question 2c. Article 1(1)b wastes****2005. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Art. 1(1)b waste does not exist

Andorra does not possess yet a detailed regulation regarding hazardous wastes, whether those are included in the Basel Regime or not. Nonetheless, in coordination with the International Atomic Energy Agency and European authorities that control thoroughly the movements of nuclear substances, Andorra has a practical system of control of imports and exports of nuclear substances. There is also a system of registration and control, for the purposes of commerce, of the quantities of chemical products that enter and leave the country.

**Australia:** Art. 1(1)b waste does not exist**Austria:** Art. 1(1)b waste exists

The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Belgium:** Art. 1(1)b waste exists

In Belgium the provisions of the European Council Regulation 259/93/EEC apply, especially referring to its Annexes II, III, IV and V. Annexes III and IV (Amber and Red List) regulate also some wastes not included in art. 1 (1)a of the Basel Convention. There is also a list which specifies the wastes which are not controlled (Annex II = Green List). All wastes not included in the Annexes are controlled. All wastes destined for final disposal are also controlled.

**Canada:** Art. 1(1)b waste exists

The national definition of hazardous waste and hazardous recyclable material covers "wastes" other than those listed in Annexes I, II and VIII of the Basel Convention. Most notably compressed or liquefied gases and aerosols are controlled, used lubricating oils from internal combustion engines, used oil filters containing more than 6% of oil by mass, aluminium by-products and spent pot liners which exhibit a hazard, wastes that contain more than 2 mg/kg of PBB or PCT as well as polychlorinated dibenzo dioxins and furans in a concentration greater than 100 ng/kg TEQ. Canada controls all of Annex I and Annex II wastes when they exhibit a hazard characteristic. Canada also controls wastes, even if not included in Annex I, as long as it exhibits a hazardous characteristic. For example: OECD Waste: All wastes listed and controlled under the OECD decisions are included in the Canadian regulatory regime of the EIHWHMR. Some of these could serve as examples of wastes which would not always be covered by Annex I. In line with the revised OECD Decision, the definition of "Hazardous recyclable material" in the Regulations excludes four streams of low risk recyclable materials (see Schedule 8 of the Regulations) that are not controlled within the OECD. These four streams of recyclable materials are controlled, however, if they are contaminated by other material to an extent that it increases risks to the environment or prevents the recycling of the materials in an environmentally sound manner. Waste having as constituents: Canada uses a leachate procedure to characterize H13 wastes. Concentrations of contaminants listed in the Canadian Drinking Water Quality Guidelines are assessed during the procedure. Some of these contaminants, for example, boron and barium, are not found on Annex I. The more than 3000 listed wastes by Canadian regulations include a few hundred substances identified as being hazardous to the environment. A number of these substances, when wastes, do not have a corresponding Annex I or II entry. Aluminum: Aluminum is not identified in Annex I however, when aluminum wastes exhibit a hazard characteristic according to domestic legislation, they are controlled. Gases: Gases in the form of aerosols or compressed are controlled. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Finland:** Art. 1(1)b waste exists

Additional wastes may contain, for example, the following constituents, which potentially render wastes hazardous: certain metal compounds (like cobalt, nickel, silver, vanadium, tin), certain alkaline or alkaline earth metals (lithium, potassium, calcium, magnesium in uncombined form), aromatic compounds, polycyclic and heterocyclic organic compounds, inorganic sulphides, peroxides, chlorates, perchlorate, creosotes, isocyanates or thiocyanates. Due to some structural differences between the hazardous waste list and the Basel Convention Annexes it is not always possible to specify in full detail which of these wastes are additional to the Annexes. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**France:** Art. 1(1)b waste exists

These wastes are those included in lists amber and red, and unlisted waste of the EC regulation 259/93. Wastes listed in the Annex to Commission Decision 2000/532/EC, as amended for the wastes marked with an asterisk are

considered to be hazardous waste pursuant to Directive 91/689/EEC on hazardous waste.

**Germany:** Art. 1(1)b waste exists

According to EU-legislation waste streams containing hazardous compounds of Ba, Ni, V, Co, Ag and Sn, metallic Li, Na, K, Ca and Mg, inorganic sulphides and organic substances like peroxides, azides, creosotes, aliphatic and aromatic amines, isocyanates; thiocyanates, chlorates, perchlorates, sulphur organic compounds, CFC and other hydrocarbons and their oxygen; nitrogen and/or sulphur compounds exhibiting an hazardous characteristics according to EU hazard criteria are hazardous wastes in EU. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Greece:** Art. 1(1)b waste exists

According to Regulation EEC 259/93, as amended and implemented.

**Ireland:** Art. 1(1)b waste exists

However, all shipments of waste are controlled in accordance with Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out to the European Community.

**Israel:** Art. 1(1)b waste does not exist

**Italy:** Art. 1(1)b waste exists

These wastes include all the wastes that are listed in the EEC/259/93 Annexes III and IV.

**Liechtenstein:** Art. 1(1)b waste exists

The following general table lists special wastes which are not explicitly listed in Annex 1 of the Basel Convention, or difficult to be assigned to a Y-Code or an H-Code or to both: OMSW - Code Waste description (national Code)  
 1740 - Soaps, fats, lubricating oils or films of vegetable or animal origin 1741 - Wastes which contain edible fat or oil, wastes from grease traps oil separators 1821 - Residues (insulating strips) from the recycling of cables 2010 - Blast furnace slag, without fly ash 2020 - Dust, particles and fly ash 2021 - Filter cake which contains non-ferrous metals from flue gas treatment 2022 - Sludge which contains non-ferrous metals from waste gas scrubbing 2030 - Fibre-glass wastes, clinker; fire-proof waste brick 2033 - Light metal dross which contain aluminium or magnesium 2040 - Casting cours and moulds which contain organic binders prior to introduction of molten metal 2250 - Production refuse, processing waste and manufacturing by-products originating from organicsyntheses (not elsewhere listed) 2430 - Contaminated lime sludges 2440 - Contaminated calcium sulphate residues (e.g. phosphgypsum, gypsums originating from fume desulphurisation) 2450 - Other neutralization sludges 2460 - Other saline solutions 2620 - Solid metal salt residues, except alkaline salts 2640 - Solid residues of inorganic non-cyanidic salts 2650 - Spent catalysts from chemical processes 2660 - Sulphur residues 2830 - Sewage sludge having a heavy metal concentration exceeding by more than 100% the limit set by the Swiss Ordinance concerning sewage sludge 2840 - Settling, filtration and centrifuging residues 2850 - Saturated, spent ion exchange resins except those used for drinking water treatment 2860 - Eluates and regeneration sludges from ion exchanger resins not covered under other OMSW- codes 2871 - Other acid tars 2880 - Gas scrubber sludges 2890 - Decarbonization sludges 3010 - Drilling muds 3020 - Absorbents and adsorbents contaminated in particular with organic products, e.g. filters and filtering media 3021 - Absorbents and adsorbents contaminated only with inorganic products, e.g. filters and filtering media 3040 - Contaminated materials and equipment 3041 - Soil contaminated by mineral oil products 3042 - Soil contaminated by other substances 3050 - Contaminated packages and containers which have contained special wastes unless they are used again for the transport of wastes of the same nature 3051 - Packages and containers, contaminated but empty, which have contained toxic materials of class 1 or 2 toxicity 3210 - Manufacturing refuse and wastes not covered by one of the previous items 3220 - Used batteries 3250 - Residues not covered by one of the preceding items 3260 - Wastes (e.g. laboratory chemicals) not classifiable elsewhere because of their nature 3261 - Rests/residues of chemicals whose qualitative composition is known 3262 - Rests/residues of chemicals whose qualitative composition is unknown 9100 - Sludges from cleaning or flushing of refuse dumps

**Luxembourg:** Art. 1(1)b waste exists

All the wastes subject to control under the regulation (EEC) 259/93 are controlled.

**Monaco:** Art. 1(1)b waste does not exist

**Netherlands:** Art. 1(1)b waste exists

Lists of amber and red wastes (OECD-decision); and hazardous wastes on the European Hazardous Waste List.

**New Zealand:** Art. 1(1)b waste does not exist

**Norway:** Art. 1(1)b waste exists

Norway has implemented the EU Council Regulation (EEC) No 259/93 with its attached waste lists, e.g. those in Annex V, which in Part 1 contains List A and List B from Annex VIII and IX to the Basel Convention. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Spain:** Art. 1(1)b waste exists

See information provided under questions 2a, 2b and 2d.

**Sweden:** Art. 1(1)b waste exists

The national definition of hazardous waste covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Switzerland:** Art. 1(1)b waste exists

Remark : The following general table lists special wastes which are not explicitly listed in Annex 1 of the Basel Convention, or difficult to be assigned to a Y-Code or an H-Code or to both: OMSW- Code Waste description (National Code) 1740 Soaps, fats, lubricating oils or films of vegetable or animal origin 1741 Wastes which contain edible fat or oil, wastes from grease traps oil separators 1821 Residues (insulating strips) from the recycling of cables 2010 Blast furnace slag, without fly ash 2020 Dust particles and fly ash 2021 Filter cake which contains non-ferrous metals from flue gas treatment 2022 Sludge which contains non-ferrous metals from waste gas scrubbing 2030 Fibre-glass wastes, clinker; fire-proof waste brick 2033 Light metal dross which contain aluminium or magnesium 2040 Casting cores and moulds which contain organic binders prior to introduction of molten metal 2250 Production refuse, processing waste and manufacturing by-products originating from organic syntheses (not elsewhere listed) 2430 Contaminated lime sludges 2440 Contaminated calcium sulphate residues (e.g. phosphogypsum, gypsums originating from fume desulphurisation) 2450 Other neutralization sludges 2460 Other saline solutions 2620 Solid metal salt residues, except alkaline salts 2640 Solid residues of inorganic non-cyanidic salts 2650 Spent catalysts from chemical processes 2660 Sulphur residues 2830 Sewage sludge having a heavy metal concentration exceeding by more than 100% the limit set by the Swiss Ordinance concerning sewage sludge 2840 Settling, filtration and centrifuging residues 2850 Saturated, spent ion exchange resins except those used for drinking water treatment 2860 Eluates and regeneration sludges from ion exchanger resins not covered under other OMSW- codes 2871 Other acid tars 2880 Gas scrubber sludges 2890 Decarbonization sludges 3010 Drilling muds 3020 Absorbents and adsorbents contaminated in particular with organic products, e.g. filters and filtering media 3030 Absorbents and adsorbents contaminated only with inorganic products, e.g. filters and filtering media 3040 Contaminated materials and equipment 3041 Soil contaminated by mineral oil products 3042 Soil contaminated by other substances 3050 Contaminated packages and containers which have contained special wastes unless they are used again for the transport of wastes of the same nature 3051 Packages and containers, contaminated but empty, which have contained toxic materials of class 1 or 2 toxicity 3210 Manufacturing refuse and wastes not covered by one of the previous items 3220 Used batteries 3250 Residues not covered by one of the preceding items 3260 Wastes (e.g. laboratory chemicals) not classifiable elsewhere because of their nature 3261 Residues of chemicals whose qualitative composition is known 3262 Residues of chemicals whose qualitative composition is unknown 9100 Sludges from cleaning or flushing of refuse dumps

**Turkey:** Art. 1(1)b waste list under preparation

**United Kingdom of Great Britain and Northern Ireland:** Art. 1(1)b waste exists

Wastes listed in IV and certain ones in Annex V of the WSR are controlled as hazardous for the purpose of transboundary movements. A number of the wastes listed in these Annexes are not included within the scope of Article 1(1)a of the Basel Convention.

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**Question 2d. Wastes requiring special consideration****2005. Africa. (Parties which did not report are not listed).**

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**Algeria:** Waste requiring special consideration exists  
Housing and assimilated wastes.

**Botswana:** Waste requiring special consideration does not exist

**Burundi:** Waste requiring special consideration exists  
- des friperie ; - des pneumatiques d'occasion ; - certains engrais à des fins agricoles ; - véhicules d'occasion et - des ferrailles (fer à béton pour construction).

**Cameroon:** Waste requiring special consideration does not exist

**Djibouti:** List of waste requiring special consideration in preparation

**Ethiopia:** Waste requiring special consideration does not exist

**Gambia:** List of waste requiring special consideration in preparation  
These wastes are yet to be determined.

**Lesotho:** Waste requiring special consideration does not exist

**Madagascar:** Waste requiring special consideration exists  
-Radioactive wastes and nuclear wastes. -Déchets contenant ou contenu amiante.

**Morocco:** List of waste requiring special consideration in preparation  
Les listes des déchets à contrôler et des déchets dangereux sont en cours d'élaboration.

**Mozambique:** Waste requiring special consideration does not exist

**Senegal:** Waste requiring special consideration exists  
Textile wastes.

**Tunisia:** Waste requiring special consideration exists  
Waste anode butts made of petroleum coke and/or bitumen; used single-use cameras not containing batteries; wastes of synthetic or artificial fibres; waste photographic papers and films; spent activated carbons other than those mentioned in the Tunisian list of hazardous waste (list available on request) (080702, 180106); and ships and other floating engines to be dismantled, emptied of freight and any material classified as hazardous require special consideration when subjected to transboundary movement.

**Uganda:** Waste requiring special consideration exists  
Expired foodstuffs.

**Zambia:** Waste requiring special consideration does not exist

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**Question 2d. Wastes requiring special consideration****2005. Asia and Pacific. (Parties which did not report are not listed).**

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**Azerbaijan:** Waste requiring special consideration does not exist

**Bahrain:** Waste requiring special consideration does not exist

**Brunei Darussalam:** List of waste requiring special consideration in preparation  
It is being prepared in the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Waste requiring special consideration does not exist

**China:** Waste requiring special consideration exists

In China, import of solid wastes that cannot be used as raw materials is prohibited. Up to now, wastes listed in the "list of automatic-licensing solid wastes that can be used as raw materials" and "list of restricted solid wastes that can be used as raw materials" are permitted to be imported (Annex-2, available from the Secretariat, upon request). Please also see the list of goods prohibited to be imported (Annex-2, available from the Secretariat, upon request).

**Cyprus:** Waste requiring special consideration does not exist

**Indonesia:** Waste requiring special consideration exists

Article 8 of the Governmental Regulation No. 85/1999 states that waste resulted from activities that is not included in Table 2 should be classified as hazardous waste if evidentially revealed one or more of the following characteristics: explosive, flammable, reactive, toxic, infectious, and/or corrosive.. These wastes require special consideration when subjected to transboundary movement.

**Japan:** Waste requiring special consideration exists

Any person who intends to import waste (excluding navigational wastes and carried-in wastes) shall procure the permission of the Minister of the Environment. Any person who intends to export domestic or industrial wastes (excluding valuable material) must obtain the confirmation of the Minister of the Environment that the export of domestic wastes comes under the respective items in the following: - The wastes to be exported are deemed difficult to be treated properly in Japan in the light of the available treatment and technique; and - The wastes to be exported will be recycled in the country to which they are exported.

**Malaysia:** Waste requiring special consideration does not exist

**Mongolia:** Waste requiring special consideration does not exist

**Pakistan:** Waste requiring special consideration does not exist

**Philippines:** Waste requiring special consideration does not exist

**Qatar:** Waste requiring special consideration exists

Radioactive wastes.

**Republic of Korea:** Waste requiring special consideration does not exist

**Singapore:** Waste requiring special consideration does not exist

**Sri Lanka:** Waste requiring special consideration exists

A policy decision has been taken by the Ministry of Environment to consider Annex IX (List B) wastes on a case by case basis and not to allow importation of plastic waste.

**Thailand:** Waste requiring special consideration exists

Plastic wastes.

**Viet Nam:** Waste requiring special consideration does not exist



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**Question 2d. Wastes requiring special consideration**

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**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

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**Albania:** List of waste requiring special consideration in preparation

In Albania urban waste and all non-hazardous waste generated from household and social activities require special consideration when subjected to transboundary movement.

**Belarus:** Waste requiring special consideration does not exist

**Bosnia & Herzegovina:** Waste requiring special consideration exists

Non-hazardous waste require special consideration when subjected to transboundary movement.

**Bulgaria:** Waste requiring special consideration exists

Republic of Bulgaria regulates wastes from the Green list of waste according to Regulation EEC/259/93 on the supervision and control of shipments of waste within, into and out of the European Community. A registration is required at the import of these kinds of waste into the territory of Bulgaria.

**Croatia:** Waste requiring special consideration exists

According to Article 53 of the Waste Act (OG No 178/04) the person registered for export activity cannot begin to export non-hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters. The person importing non-hazardous waste must obtain the decision prescribed by Articles 48 and 49 of the Waste Act (OG No 178/04). Import of hazardous waste is prohibited. Transit of non-hazardous waste is permitted. Transit of hazardous waste in the territory of the Republic of Croatia may be performed by a person who is registered for performing the activity, under the condition that the person obtains the decision prescribed by Waste Act (OG No 178/04)

**Estonia:** Waste requiring special consideration does not exist

**Hungary:** Waste requiring special consideration does not exist

**Latvia:** Waste requiring special consideration exists

In accordance with Part B. of Chapter 10 of the Annex VIII to the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded. (a) Until 31 December 2010, all shipments to Latvia of waste for recovery listed in Annexes II, III and IV to Regulation (EEC) No 259/93 and shipments of waste for recovery not listed in those Annexes shall be notified to the competent authorities and processed in conformity with Articles 6, 7 and 8 of the Regulation. (b) By way of derogation from Article 7(4) of Regulation (EEC) No 259/93, the competent authorities shall object to shipments of waste for recovery listed in Annexes II, III and IV to the Regulation and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC(6) concerning integrated pollution prevention and control, during the period in which the temporary derogation is applied to the facility of destination.

**Lithuania:** Waste requiring special consideration exists

After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania.

**Poland:** Waste requiring special consideration does not exist

**Republic of Moldova:** Waste requiring special consideration exists

The Governmental Decisions nr. 637 form 27 May 2003 on the control on transboundary movement of waste and their disposal required permission for the transboundary movement of any kind of waste.

**Romania:** Waste requiring special consideration does not exist

**Serbia and Montenegro:** Waste requiring special consideration exists

In addition to wastes listed in the List of hazardous wastes, the wastes in the List of non-hazardous wastes (not exhibiting hazardous characteristics) are subject to transboundary movement permission and control. List of non-

hazardous wastes consists of 201 wastes (waste streams and/or constituents) mainly covering Annex IX wastes of the Basel Convention and wastes from EU Green List with a few additions which are listed below: 1. National waste code: W265-2-00000-00000 - Residual cooking oils not exhibiting hazardous characteristics, and could be used for purposes other than human and animal consumption; 2. National waste code: W276-00000-000 - Packaging material imported in big quantities; and 3. National waste code: W277-00000-A/B - All other wastes included in actual Lists A and B of the Basel Convention, which are not specified on the other place.

**Slovakia:** Waste requiring special consideration does not exist

**Slovenia:** Waste requiring special consideration exists

With regard to transboundary movements of wastes applies European Council Regulation 259/93/EEC. The subject of control is: - in the case of movements destined for recycling: - waste listed in Annex III and IV - any waste not listed in Annex II, III, IV and V of European Council Regulation 259/93/EEC, - waste destined for final disposal - in the case of export out of EU: waste which is subject of control in the country of destination.

**Ukraine:** Waste requiring special consideration exists

To the division "Wastes requiring special consideration" (Annex II to the Basel Convention) two more items are included:- 83 Sewerage sludge AC270; and 84 Pneumatic tires waste B3140 GK020 TC401220.

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**Question 2d. Wastes requiring special consideration****2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Argentina:** Waste requiring special consideration exists

Used tyres require special consideration when subjected to transboundary movement. There is an import ban on used tyres, asbestos (import ban for amphiboles), PCBs (in any application), and soft PVC toys.

**Barbados:** Waste requiring special consideration does not exist

**Bolivia:** Waste requiring special consideration does not exist

Al momento ninguno.

**Brazil:** Waste requiring special consideration does not exist

**Chile:** Waste requiring special consideration exists

Any wastes, even those that are not hazardous, require authorization from the National Sanitary Authority for every kind of management, including their transport.

**Colombia:** Waste requiring special consideration does not exist

**Costa Rica:** Waste requiring special consideration does not exist

**Cuba:** Waste requiring special consideration does not exist

**Dominican Republic:** Waste requiring special consideration does not exist

**Ecuador:** Waste requiring special consideration does not exist

**Guyana:** Waste requiring special consideration does not exist

**Honduras:** Waste requiring special consideration does not exist

**Jamaica:** Waste requiring special consideration does not exist

**Mexico:** Waste requiring special consideration does not exist

**Paraguay:** Waste requiring special consideration does not exist

**Trinidad and Tobago:** List of waste requiring special consideration in preparation

**Venezuela:** Waste requiring special consideration does not exist

**Question 2d. Wastes requiring special consideration****2005. Western Europe and Others. (Parties which did not report are not listed).**

**Andorra:** Waste requiring special consideration exists

Wastes resulting from the construction activities. The waste resulting from building industry is subject to the Regulation on the export conditions of debris, rubble and waste from demolition and construction of the 27-06-2001. The regulation obliges the exporter to select its waste. Authorized material to export is listed in art.2a) of the regulation, and prohibited waste is listed in art.2.b). Selection and separation is made only in authorized centers/plants by authorities. They are obliged to separate hazardous waste and hand it to the proper operator. Controls are frequent at the borders, and when mixed waste is found in the debris, they are returned to the owner. Destination is controlled, and disposal is done in authorized centers of the import country (Spain).

**Australia:** Waste requiring special consideration does not exist

**Austria:** Waste requiring special consideration exists

The shipment of any waste not listed in Annex II of the EU Regulation 259/93/EC is subject to a notification procedure.

**Belgium:** Waste requiring special consideration does not exist

The wallon region has suggested to class the waste -GM 140: waste edible fats and oils of animal or vegetable origin (frying oil) in the annexIII, for public health reason.

**Canada:** Waste requiring special consideration exists

Because of their nature and high public profile, polychlorinated biphenyls (PCB's) are a special case when it comes to the management, export, and import of hazardous wastes containing 50 mg/kg of PCBs or more. Canada's policy is to ensure the management of PCB wastes within a strictly controlled regulatory system until they can be eliminated through removal from service, proper destruction and isolation from the environment. The PCB Waste Export Regulations, 1996 (PCBWER) set out the controls which need to be met and restricts exports of PCB wastes to the United States for treatment and destruction (excluding landfilling) when these wastes are in concentrations equal to or greater than 50 parts per million (ppm). The Regulations require that advance notice of proposed export shipments be given to Environment Canada. If the PCB waste shipment complies with the Regulations for the protection of human health and the environment, and authorities in any countries or provinces through which the waste will transit do not object to the shipment, a permit could be issued from Environment Canada to the applicant authorizing the shipment to proceed.

**Finland:** Waste requiring special consideration exists

The wastes subject to control procedures when moved transboundary are defined by the Council Regulation (EEC) on the supervision and control of shipments of waste within, into and out of the European Community (259/93), and the regulations issued on the basis of the said regulation. According to the said Regulation, all shipments of waste intended for final disposal (D-operations) are subject to control procedures. For wastes that are intended for recycling or recovery (R-operations) within the OECD area all other wastes except those listed in Annex II of Council Regulation 259/93 are subject to control when moved transboundary. Annex II of Council Regulation 259/93 is identical to the OECD Green list of wastes. When waste is shipped to non-OECD countries (i.e. countries to which the OECD Council Decision C(92)39 does not apply) there are also some additional control procedures for non-hazardous, Green listed wastes. These control procedures vary depending on the request by the importing country concerned. The Council Regulation 259/93 will be replaced on 12 July 2007 by the Regulation of the European Parliament and of the Council on shipments of Waste (EC)1013/2006).

**France:** Waste requiring special consideration does not exist

**Germany:** Waste requiring special consideration exists

In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Annexes II, III, IV and V. Wastes destined for disposal are always controlled. Wastes subject to control for transboundary movements are listed in Annexes III and IV. Wastes not subject to control, if the waste is destined for recovery, are listed in Annex II. Non-listed wastes are controlled pursuant to Article 10 of this regulation. For the export prohibition Annex V applies, which contains all wastes listed in Annexes VIII of the Basel Convention and additional wastes. Annexes III and IV of that regulation contain all the wastes mentioned under question 2b and 2c, but also wastes which don't exhibit intrinsic hazardous properties established in Annex III of the Basel Convention. The control of the transboundary movement of these wastes is considered as necessary for an environmentally sound waste management. Pursuant to Annex V Part 3 of the EC Waste Movement Regulation these wastes are exempted from the export prohibition. Relevant waste listed below (with Code Nr. from the Annexes in brackets, hazardous wastes always excluded): · Dross, scalings and other wastes from the manufacture of iron and steel (AA010) · zinc ashes and residues (AA020) · copper ashes and residues (AA040) · aluminium ashes and residues

(AA050) · ashes and residues containing other metals/metal compounds (AA070) · precious metal ashes and residues (AA160) · used batteries and accumulators (AA180) · slag, ash and residues not elsewhere specified or included (AB010) · waste from the incineration of household waste (AB020 and as waste under Article 1(2) of the Basel Convention) · non-cyanidic waste from surface treatment of metals (AB030) · spent catalysts not listed in Annex II (AB080) · waste hydrates of aluminium (AB090) · sands used in foundry operations (AB070) · waste blasting grit (AB130) · unrefined calcium compounds from flue gas desulphurization (AB150) · bituminous materials (asphalt waste) (AC020) · wood waste treated with other chemicals than wood preservatives (AC170) · shredder residues (AC190 or not listed) · surface active agents (AC250) · manure, faeces (AC260) · sewage sludge (AC270) · household waste (AD160 and as waste under Article 1(2) of the Basel Convention) · sludges and rejects from the production of paper and cardboard (not listed) · cable waste (not listed) · soil and stones (not listed) · off-specification batches (not listed) · street cleaning residues (not listed) · wastes from the preparation of water (not listed) and · all kinds of mixed wastes (not listed). Pursuant to Art. 3 and 14 of the same Regulation all wastes destined for operations as set out in Annex IV.A of the Basel Convention (D-operations) are also controlled. Pursuant to Article 17(3) of this Regulation in the case of export all wastes known as subject to control in the country of destination are also controlled. Transitional arrangements for new member states of the European Community: All wastes are subject to notification for export to Hungary until June 2005, Latvia until December 2010, Malta until December 2005, Poland until December 2012 and Slovakia until December 2011.

**Greece:** Waste requiring special consideration does not exist

**Ireland:** Waste requiring special consideration does not exist

However, all shipments of waste are controlled in accordance with Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out to the European Community.

**Israel:** Waste requiring special consideration does not exist

**Italy:** Waste requiring special consideration does not exist

**Liechtenstein:** Waste requiring special consideration exists

Basing on the Ordinance on the return, the taking back and the disposal of electrical and electronic appliances (ORDEA) exports of all WEEE is subject to control (notification and consent)

**Monaco:** Waste requiring special consideration does not exist

**Netherlands:** Waste requiring special consideration exists

The unlisted wastes require special consideration when subjected to transboundary movement and these wastes are controlled according to the most stringent procedure (i.e. red-list).

**New Zealand:** Waste requiring special consideration exists

Imports and exports of household waste are controlled under the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at [www.legislation.govt.nz](http://www.legislation.govt.nz). "household waste" means any waste collected from households; and includes any residue from the incineration of that waste.

**Norway:** Waste requiring special consideration does not exist

**Spain:** Status not provided

The transboundary movement of wastes in Spain, is regulated by Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended by Council Regulations (EEC) No. 120/97, (EEC) No. 2408/98 and (EC) No. 2557/2001, Commission Decision 1999/816/EEC, Commission Regulation (CE) N° 1547/1999 and Council Regulation (CE) N° 1420/1999. Provisions in these regulations and their annexes define the wastes to be controlled and how the control applies. Since there is no definition of hazardous wastes in that regulation, it is not possible to concisely list those wastes which, even though not included under article 1 (1) of the Basel Convention, will be subject to the control of shipments. It has to be determined in each case whether the waste is listed under annex II, III, IV or V of Regulation (EEC) N° 259/93, and then check which, if any, control of shipment applies. Notice.- As of 12 July 2007, REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 14 June 2006, ON SHIPMENTS OF WASTE, applies in Spain and Council Regulation 259/93 has been repealed.

**Sweden:** Waste requiring special consideration does not exist

**Switzerland:** Waste requiring special consideration exists

Basing on the Ordinance on the return, the taking back and the disposal of electrical and electronic appliances (ORDEA) exports of all WEEE is subject to control (notification and consent).

**Turkey:** Waste requiring special consideration exists

According to the National Regulations and Communiqué of Standardization of Foreign Trade No.2006/3, used tyres and all kind of hazardous wastes are prohibited to Turkey and free zone the authority of Turkey. Therefore for the transit transportation of used tyres through Turkey is subject to the approval of our Ministry of Environment. In giving this consent, it is necessary to take the written consent of the state of import.

**United Kingdom of Great Britain and Northern Ireland:** Waste requiring special consideration exists

Wastes destined for recovery operations that are not listed in the WSR are subject to hazardous waste controls. Wastes listed on Annex III 'green list of wastes' of the WSR may be subject to hazardous waste controls if they are contaminated by other materials to an extent which increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the red list, or prevents the recovery of the waste in an environmentally sound manner. Shipments of non-hazardous wastes (green list) for recovery to non-OECD countries may also be subject to hazardous waste control procedures according to the wishes of the importing country. A separate Commission Regulation sets out the applicable control procedures for such shipments (the 'green list Regulation').