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## 3b Restrictions on Exports for IV A

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### All Regions/Countries, Parties of the Basel Convention

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#### UN Region:

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##### **Bhutan**

**2009** There is no information concerning restrictions on the export of hazardous wastes and other wastes for final disposal provided for Bhutan.

##### *Legislation*

##### *Countries*

**Remarks**

- We do not have required infrastructure and facilities to treat and dispose of the hazardous wastes in an environmental sound manner. This is coupled with lack of technology and capacity in managing and disposing the hazardous wastes.
- Based on the 'Waste Prevention and Management Act of Bhutan, 2009', we will be developing regulation which would clarify the question 3b.
- As per the 'Waste Prevention and Management Act of Bhutan, 2009', hazardous wastes can be exported based on the Prior Written Consent of the importing country.

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#### UN Region: Africa

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##### **Egypt**

**2009** Egypt restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The national legislation does not ban export of hazardous waste and other waste outside Egypt for final disposal, but follow some restrictions in order to ensure that any exportation (if happened) is regulated within the provisions of the Basel convention and destined only to countries those are parties to the Basel convention and have capabilities to manage the waste in environmentally sound manner.

**Countries** Export for final disposal take place and destined (if happened) only to countries those are parties to the convention and have enough technical capacity to manage the hazardous waste in environmentally sound manner.

**Remarks** All export of hazardous waste should be under Basel Convention control regime.

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##### **Guinea-Bissau**

**2009** Guinea-Bissau has no restrictions on the export of hazardous wastes and other wastes for final disposal.

##### *Legislation*

##### *Countries*

**Remarks** On going regulation of the Basic Environmental Law which defines hazardous wastes.

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##### **Kenya**

**2009** Kenya restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Environmental Management and Coordination Act, 1999

**Countries** All countries.

**Remarks**

- Wastes allowed into Kenya if on transit to export country for environmentally sound disposal;
- Prior informed consent given; and
- Approval given by Director General - NEMA.

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## **Madagascar**

**2009** Madagascar has no restrictions on the export of hazardous wastes and other wastes for final disposal.

### *Legislation*

### *Countries*

### *Remarks*

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## **Mozambique**

**2009** Mozambique has no restrictions on the export of hazardous wastes and other wastes for final disposal.

### *Legislation*

### *Countries*

### *Remarks*

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## **Nigeria**

**2009** Nigeria restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Decree No. 42 of 1988 on Harmful Wastes currently restricts the export of hazardous wastes for final disposal in Nigeria.

**Countries** The restrictions on the export of these hazardous wastes apply to all countries.

**Remarks** Decree No. 42 of 1988 on harmful waste is being reviewed to harmonize it with the Basel Convention.

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## **Rwanda**

**2009** Rwanda restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation**

1. Organic Law N° 04/2005, determining the modalities of protection, conservation and promotion of environment in Rwanda. Date of entry into force: 08 April 2005.
2. Instruction n° 01/04 de l'Office Rwandais de Normalisation relative à la délivrance du certificat de qualité obligatoire des importations : entrée en vigueur 1/12/2004.
3. Arrêté Ministériel n° 005/04/10/MN fixant les règles de calcul des droits d'entrée (Section VI présente la liste des produits des industries chimiques ou des industries connexes admis à être importés au Rwanda) : entré en vigueur depuis 25/10/2004.
4. Prime Minister's Order N° 26/03 of 23/10/2008 determining the list of chemicals and other prohibited pollutants
5. Prime Minister's Order N°27/03 of 23/10/2008 determining a list of prohibited drugs unless authorized or temporary permitted

### *Countries*

### *Remarks*

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## **South Africa**

**2009** South Africa restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** South Africa is a signatory to the Basel Convention. South Africa uses the provisions in the Basel Convention to restrict the export of hazardous waste for disposal in other countries. Department of Environmental Affairs is also developing a National Policy for the control of exports and imports of waste in line with the requirements of the Basel Convention. Additional restrictions to exporting wastes are anticipated specially e-waste.

In addition the International Trade Administration Act No. 71 of 2003 requires that a permit be issued by the International Trade Administration Commission (ITAC) before any wastes identified in Annex III of the convention can be imported or exported.

**Countries** South Africa restricts the export of hazardous wastes and other wastes to all non Parties to the Basel Convention and any country which cannot demonstrate that it has the necessary technology to dispose of the waste in an environmentally sound manner which is protective to human health.

**Remarks**

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**Togo**

**2009** Togo restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Loi-cadre sur l'environnement du 30/05/2008, article 111  
Est interdit sur toute l'étendue du territoire national, tout acte relatif à l'importation, à l'achat, à la vente, au transport, au transit, au traitement, au dépôt et au stockage de déchets dangereux.

**Countries** Tout pays/région et/ou tout déchet dangereux.

**Remarks** Le pays ne dispose pas de structures appropriées pour le traitement des déchets dangereux.

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**Tunisia**

**2009** Tunisia restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996) as amended and complemented by law n° 2001-14 dated 30 January 2001 which make distinction between hazardous waste management requiring authorization and management of non hazardous wastes requiring "Terms and Conditions " document, the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent.

The authorization of export is not attributed unless the following conditions are met:  
Due account is taken of international rules and standards in the field of packaging, labelling and transport;

The presentation of a written contract between the exporter and the disposer/person in charge of the recovery;

The presentation of an insurance contract presenting sufficient financial guarantees; and

The presentation of the movement document signed by the person who takes charge of the transboundary movement of the wastes in question.

Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

**Countries** All countries are covered by this restriction.

**Remarks**

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## **Uganda**

**2009** Uganda restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The National Environment Statue, 1995  
The National Environment (Waste Management) Regulations, 1999

**Countries** Restriction to all countries in the world covering all categories of waste.

**Remarks** No export of hazardous wastes and other wastes is allowed in the country for final disposal without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

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**UN Region:** *Asia and Pacific*

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## **Azerbaijan**

**2009** Azerbaijan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The export of non-ferrous and black metals was temporarily stopped by president's decree on dated 17.04.2001.

**Countries** The restriction covers non-ferrous and black metals.

**Remarks**

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## **Bahrain**

**2009** Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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**China**

**2009** China restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** China:

The relevant legislation complies with the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) .

**Countries**

**Remarks**

China

The export for final disposal is allowed when there are no adequate disposal facilities in China capable of disposing the waste in an environmental sound manner. While we don't have such restrictions on the export for recovery. The export of hazardous waste for disposal for which there are no adequate disposal facilities in China must comply with the requirements of the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) . The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, to the competent authorities of the states of import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of disposal.

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the export of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure as that of the control of export of hazardous waste.

Macao Special Administrative Region, China

The export of waste for the purpose of final disposal will be subject to the controls according to the Basel Convention requirements.

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**Cyprus**

**2009** Cyprus restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

**Countries**

**Remarks**

E.U legislation has been adopted concerning the export of hazardous wastes and other wastes for final disposal.

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**Japan**

**2009** Japan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Waste Management Law (originally enacted in 1970) was amended and put into force to regulated import and export of waste in 1993.  
The Basel Law was entered into force in 1993.

**Countries** All countries and regions.

**Remarks** Basel Law: Ministry of the Environment (MOE) shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the Ministry of Economy, Trade and Industry (METI) of the result of its examination. METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Waste Management Law: Export of wastes for final disposal (Annex IV A) is prohibited.

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## **Kazakhstan**

**2009** Kazakhstan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Environmental Code of the Republic of Kazakhstan, 2007.

Government of the Republic of Kazakhstan dated 27 August 2004 № 908 "On introduction of the ban on export of regenerated paper, cardboard, waste paper and waste (as amended as of 13.01.2006). According to this document, in order to support domestic producers, an increase in domestic production due to the production of competitive products and encourage exports of finished products, the export from the territory of the Republic of Kazakhstan regenerated paper, cardboard, waste and scrap (HS code 4707 EAEC) is prohibited.

**Countries** All the countries listed under the Basel Convention.

**Remarks** Remarks:

Update is not required. In accordance with the Environmental Code of Kazakhstan prohibits the export of hazardous waste in the state - part of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and in developing countries, which in its legislation banned the import of hazardous wastes, or if there is reason to believe that these wastes will not be managed in an environmentally sound manner and in areas south of 60 degrees south latitude.

Code requirements are normalized to disposal operations that do not lead to a possible recovery, recycling, reclamation, direct reuse or alternative uses of waste that meets the requirements specified in Annex IV A Guide to the National report.

Thus, in accordance with the Environmental Code, storage and disposal of hazardous wastes are environmentally hazardous facilities. Storage of waste produced in specially equipped places (sites, warehouses, storage facilities) for the period specified for each type of waste for subsequent disposal, recycling or final disposal. Landfill is a place of their permanent location with no intention of withdrawal.

Disposal of waste produced in designated landfills. Long-term storage of waste are the places of their permanent placement with possible further displacement and (or) the need for constant monitoring of their impact on the environment. For long-term storage of waste apply environmental requirements that are set for a polygon, they must also be provided technical capacity for their extraction, transportation and subsequent recycling or final disposal.

Predusmoreny three landfills of waste, which must be assigned to one of the following classes:

- 1) Class 1 - landfill for disposal of hazardous wastes;
- 2) Grade 2 - disposal sites for hazardous waste;
- 3) Class 3 - landfill for inert waste.

Disposal without prior treatment may be only inert waste.

Hazardous waste must undergo decontamination, stabilization, and other ways of influence, reducing hazardous waste characteristics.

Prohibits the placement of hazardous waste in landfills of non-hazardous and inert waste.

Prohibited from uncontrolled waste disposal on dumps.

Prohibited from accepting for disposal at landfills following wastes:

- 1) Liquid waste;
- 2) hazardous waste, which, in the landfill is explosive, corrosive, oxidizing, flammable, or vysokoogneopasnymi;
- 3) waste, reacts with water;
- 4) waste from the medical or veterinary establishments, which are infected;
- 5) Whole used tires, except for their use as a stabilizing material for reclamation;

- 6), wastes containing persistent organic pollutants;
- 7) pesticides;
- 8) waste, which do not meet the admission criteria.

In landfills designed to contain solid waste, prohibits the placement of the following solid and industrial wastes shlamooobraznyh:

- 1) waste of the chemical industry for production of chlorine:
  - graphite sludge from the production of synthetic rubber, chlorine, caustic soda, mercury and its compounds;
  - methanol production waste Plexiglas containing methanol;
  - sludge production of salts of monochloroacetic acid containing hexachloran methanol, trichlorobenzene;
  - paper bags used for transport of DDT, hexamine, tsineba, trihlorfenolyata copper and thiuram-D;
  - sludge production trihlorfenolyata copper containing trichlorophenol;
  - spent catalysts production plastopolimerov containing benzene and ethylene dichloride;
  - koagulyum and omega of polymers containing chloroprene;
  - trichlorobenzene waste, fertilizer containing hexachloran, trichlorobenzene;
- 2) waste of the chemical industry for the production of chromium compounds:
  - sludge production monochromat sodium and sodium chloride, potassium dichromate production wastes containing hexavalent chromium;
- 3) zinc dross waste industry for the production of soda containing zinc;
- 4) waste production of artificial fibers:
  - sludges containing dimethyl terephthalate, terephthalic acid, zinc, copper;
  - waste from the filtration of caprolactam containing caprolactam;
  - waste installation methanolysis containing methanol;
- 5) Waste paint and varnish industry:
  - film lacquers and enamels, the waste when cleaning equipment, containing zinc, chromium, solvents, oxidizing oil;
  - sludge containing zinc and magnesium;
- 6) waste chemical-photographic industry:
  - waste hyposulfite and sulfite anhydrous, containing phenol;
  - Waste magnetic lacquer collodion, paints containing butyl acetate, toluene, ethylene dichloride, methanol;
- 7) waste plastics containing phenol;
- 8) waste of Nitrogen Industry:
  - slurry (resin) from the coke oven gas treatment plants and waste oil plant synthesis and compression that contain carcinogens;
  - bottoms from the distillation of monoethanolamine containing monoethanolamine;
- 9) waste oil refining and petrochemical industry:
  - aluminosilicate adsorbent from the cleaning of oils, waxes, containing chromium and cobalt;
  - acid sludge containing sulfuric acid over thirty percent;
  - fusy and fusosmolyanye residues coke and semi-coke gasification containing phenol;
  - spent catalysts containing chromium;
  - Spent clay containing oil;
  - waste from the filtration process plants alkylphenol additives containing zinc;
- 10) Waste Engineering:
  - precipitate chromium wastewater containing chromium;
  - precipitate cyanide effluent containing cyan;
  - Rod mixture on the organic binder containing chromium;
  - pellet was vacuum-filter stations neutralization plating plants containing zinc,

chromium, nickel, cadmium, lead, copper, trichlorfon, thiokol;

11) waste medical industry:

waste sintomitsina, bromine, ethylene dichloride, methanol;

enrichment waste and sludges containing heavy metal salts.

Environmental Code provides requirements for the storage and (or) disposal of radioactive waste require that all projects are storage facilities and (or) disposal of radioactive waste are subject to state environmental, sanitary-epidemiological examination and examination conducted in accordance with the laws of the Republic of Kazakhstan "On Subsoil and Subsoil Use . The design shall be in accordance with building regulations, approved in accordance with the laws of the Republic of Kazakhstan.

For low-level radioactive wastes of uranium and non-uranium mining and processing enterprises can be used earlier passed the mine workings with the placement of radioactive waste below the zone of aeration, and among other rocks with higher sorption capacity properties (excluding the possibility of migration of radionuclides beyond the point).

For intermediate level waste and non-uranium uranium mining and processing enterprises may also be used passed the mine workings with an additional device technical barriers of clay, zeolite and other sorbing radionuclides materials.

Natural depressions in the landscape can be used for long-term allocation of low-level solid and liquid radioactive wastes in the presence of natural or artificial substrates of impermeable rock or other material.

Dumping of liquid waste is prohibited. Liquid wastes should be dehydrated to a moisture content of loose rocks in the environment or cure.

During transportation, storage and use of plant protection products, fertilizers and other products used in business and other activities, creating new drugs, natural and legal persons are obliged to abide by the rules of transportation, storage and use of these drugs and implement measures to ensure the prevention of illness and death of animals .

In the presence of potentially hazardous chemical and biological substances in fertilizer and other preparations of the authorized state authorized body, within its competence to carry out toxicological studies on which set environmental standards on these fertilizers and other drugs.

In conducting mining operations are prohibited dumping of pyrophoric deposits, sludge and core samples in order to avoid the possibility of ignition or poisoning should be done according to the project and in coordination with the competent authorities in the field of environmental protection, fire safety, public authority sanitary-epidemiological service and local executive bodies ;

Prohibit the dumping of waste subsurface to surface waters and underground resources, as well as discharge into the disposal wells and wells of waste water containing radioactive substances.

Within the state conservation area in the northern Caspian Sea is prohibited discharge of sewage and waste, except a limited list of non-contaminated or treated wastewater, including water cooling systems and fire-fighting and ballast water discharged by resolution of the authorized state bodies in the field of environmental protection , use and protection of water resources, as well as the public authority in the area of sanitary and epidemiological welfare of population. The water temperature in the dumping outside of the control section line should not rise by more than five degrees compared to the average water temperature during the discharge in the last ten years.

Injection of drilling waste in the bowels of prohibited without the prior operations at their disposal and carried out according to the draft, passed the state ecological expertise.

All operations for the disposal and storage of drilling waste (sludge and solutions), is not involved in trafficking and is not injected into the bowels should be carried out at special landfills outside the state protected area in the northern Caspian Sea.

These operations must ensure the completion of the test site by the start of drilling operations and carried out in coordination with the competent authority in the field of environmental protection.

Drilling platform (barge) and service its ships must be equipped with a device for cleaning and disinfection of waste water or for collection, storage and subsequent transfer of waste water on specialized ships or shore reception facilities. For the collection or processing of waste (crushing or pressing) must be provided to the device or provided for incinerators.

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## **Kyrgyzstan**

**2009** Kyrgyzstan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Law of the Kyrgyz Republic " On Waste from Production and Consumption " from November 13, 2001 № 89 regulates that:

- State regulation of transboundary movements of hazardous and other wastes is established by the Government of the Kyrgyz Republic (Article 12);
- The control of exports (imports) of hazardous and other wastes is provided by the state bodies of executive power in charge of customs, ecological and sanitary-epidemiological control (Article 12);
- Activities of legal entities and individuals associated with waste management, subject to licensing in accordance with the Law of the Kyrgyz Republic "On Licensing" (Article 13).

In accordance with the Law of the Kyrgyz Republic "On licensing" of Article 9, the license is required for the following activities:

- Recycling, placement, destruction and disposal of toxic materials and substances, including radioactive waste;
- Transportation (including cross-border) of waste production of toxic substances.

Position on a single system of technical, medical, pharmaceutical, sanitary, veterinary, phytosanitary and environmental standards, rules, regulations and requirements in respect of goods imported into the participating States of the Customs Union.

**Countries** All countries

**Remarks**

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## **Malaysia**

**2009** Malaysia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Quality Act 1974, (Amendment 2005) Section 34B; and the Customs (Prohibition of Export) Order 1998 Amendment 2008.

**Countries** All countries.

**Remarks** Export of hazardous wastes for final disposal is not allowed unless the technology of final disposal for certain hazardous waste are not available in the country.

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## **Nepal**

**2009** Nepal has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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**Pakistan**

**2009** Pakistan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Pakistan Environmental Protection Act 1997.

**Countries** All Countries

**Remarks** According to section 14 (handling of hazardous substances) of Pakistan Environmental Protection Act 1997 “subject to the provisions of this Act, no person shall generate, collect, consign, transport, treat, dispose of, store, handle, or import any hazardous substance except ; (a) under a license issued by the federal agency and in such manner as may be prescribed ; or (b) in accordance with the provision of any other law for the time being in force, or of any international treaty, convention, protocol, code, standard, agreement or other instrument to which Pakistan is a party.

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**Singapore**

**2009** Singapore restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA), which entered into force in May 1998.

**Countries**

**Remarks** The exporter needs to obtain a Basel export permit from Pollution Control Department prior to the export.

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**Sri Lanka**

**2009** Sri Lanka has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks** However, export of hazardous waste is carried out under the provisions provided under the Basel Convention.

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**Thailand**

**2009** Thailand restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The production, import, export and possession of the hazardous substances as well as hazardous wastes within the Kingdom of Thailand shall be followed the procedure under the Ministerial Regulations B.E.2537 (1994) issued under the Hazardous Substance Act B.E.2535 (1992) which has entered into force since 1994.

**Countries** The restriction covers all countries. However, Thailand might export wastes listed in the Basel Convention for which there are no appropriate disposal facilities under the restricted control.

**Remarks**

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**United Arab Emirates**

**2009** United Arab Emirates has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks*

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**Uzbekistan**

**2009** Uzbekistan has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks*

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**UN Region:** *Western Europe and Others*

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**Andorra**

**2009** Andorra has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation* See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

*Countries*

*Remarks*

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**Australia**

2009 Australia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989 (the Act) : Grant of Basel import permits and Basel export permits.

Subsection 17(1) provides that the Minister must grant a Basel export permit if the Minister is satisfied:

(a) that dealing with the hazardous waste concerned in accordance with the import proposals or export proposals would be consistent with the environmentally sound management of the hazardous waste; and

(b) if the permit sought is a Basel export permit authorising the export of hazardous waste to a particular foreign country: (i) that the competent authority of the country has given written consent to the grant of the permit; and (ii) that the consent was given in accordance with Article 6 of the Basel Convention; and

(ba) if the permit sought is a Basel export permit—that the hazardous waste will be allowed to be transported through any foreign country through which the waste is proposed to be transported; and

© that, having regard to: (i) the applicant's financial viability; and (ii) the applicant's previous record in relation to environmental matters; and (iii) any other relevant matters; the applicant is a suitable person to be granted a Basel permit; and (d) that the applicant has appropriate insurance. (Note: Section 18 specifies circumstances in which the applicant has appropriate insurance).

Subsection 17(2) provides that even if the Minister is satisfied as mentioned in subsection (1), the Minister may decide under subsection (2A), (3), (4) or (5) not to grant the permit.(2A) The Minister may decide not to grant the permit if:

(a) the permit sought is a Basel export permit; and

(b) having regard to the requirements of paragraph 3(b) of Article 6 of the Basel Convention, the Minister thinks that it would not be appropriate to grant the permit.

Subsection 17(3) provides that the Minister may decide not to grant the permit if the Minister thinks that it would not be in the public interest to grant the permit.

Subsection 17(4) provides that the Minister may decide not to grant the permit if the Minister thinks that:

(a) there is another way in which the hazardous waste could be dealt with; and

(b) dealing with the waste in the other way would not pose a significant risk of injury or damage to human beings or the environment; and

© having regard to Australia's international obligations, the waste should be dealt with in the other way rather than in accordance with the import proposals or export proposals.

Subsection 17(5) provides that the Minister may decide not to grant the permit if the permit sought is a Basel export permit and the Minister thinks that:

(a) the hazardous waste could be disposed of safely and efficiently by using a facility in Australia; and

(aa) such a disposal would be consistent with the environmentally sound management of the waste; and

(b) having regard to the desirability of using facilities in Australia for the disposal of hazardous waste, the waste should be disposed of by using that facility rather than in accordance with the export proposals.

Subsection 17(6) provides that the Minister must not grant a Basel export permit or a Basel import permit if the Minister is satisfied that the grant could result in hazardous

waste being brought into Antarctica.

(8) The Minister must not grant a Basel import permit authorising the import of hazardous waste from a foreign country that is not a party to the Basel Convention.

17A Grant of transit permits

(1) This section applies if the permit sought by a permit application is a Basel transit permit.

(2) The Minister must grant the permit sought by a permit application if the Minister is satisfied:

(a) that carrying out the transit proposals will not pose a significant risk of injury or damage to human beings or the environment; and

(b) that, having regard to:

(i) the applicant's financial viability; and

(ii) the applicant's previous record in relation to environmental matters; and

Part 2 Import permits, export permits and transit permits

Division 3 Grant of Basel permits

Section 18

Section 18A also provides that the Minister must not grant a Basel export permit if the applicant proposes that the hazardous waste will be disposed of by a method that is within the scope of Section A of Annex IV to the Basel Convention, unless the Minister is satisfied that there are exceptional circumstances. In deciding whether there are exceptional circumstances the Minister must have regard to the following: whether there will be significant risk of injury or damage to human beings or the environment if the permit is not granted; whether the waste is needed for research into improving the management of hazardous waste; and whether the waste is needed for testing for the purposes of improving the management of hazardous waste.

The Minister also has discretion to decide not to grant a permit under the Act if there is reason to believe that the hazardous waste could be disposed of safely, efficiently and in an environmentally sound manner at a facility in Australia.

Entry into force: 12 December 1996.

Subsection 17(7) provides that the Minister must not grant a Basel export permit authorising the export of hazardous waste to a foreign country that is not a party to the Basel Convention.

Subsection 17(8) provides that the Minister must not grant a Basel import permit authorising the import of hazardous waste from a foreign country that is not a party to the Basel Convention.

Section 18A also provides that the Minister must not grant a Basel export permit if the applicant proposes that the hazardous waste will be disposed of by a method that is within the scope of Section A of Annex IV to the Basel Convention, unless the Minister is satisfied that there are exceptional circumstances. In deciding whether there are exceptional circumstances the Minister must have regard to the following:

whether there will be significant risk of injury or damage to human beings or the environment if the permit is not granted;  
whether the waste is needed for research into improving the management of hazardous waste; and  
whether the waste is needed for testing for the purposes of improving the management of hazardous waste.

Entry into force: 12 December 1996. Further information including the full text of the Act is available at:

<http://www.environment.gov.au/settlements/chemicals/hazardous-waste/guide.html>

**Countries** The restriction covers all countries and regions and all hazardous wastes.

**Remarks**

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## **Austria**

**2009** Austria restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Federal Waste Management Plan 2006, which statutes the principle of self-sufficiency for final disposal. Based on this principle objections are raised in case of exports for final disposal provided there is a suitable disposal option in Austria.. In line with the EU Regulation 1013/2006/EC final disposal is allowed only within the European Economic Area (EEA).

**Countries** Exports for final disposal are allowed only to member countries of the European Union or the European Free Trade Association. The export can be allowed only if there is no adequate disposal option in Austria.

**Remarks**

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## **Belgium**

**2009** Belgium restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Belgium fulfils the Provision of the Council Regulation (EC) N° 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. The export of hazardous waste and other waste for final disposal to non-EU is prohibited, with the exception of EFTA countries. Regulation (EC) N° 1013/2006 entered into force on 12 July 2007.

**Countries**

**Remarks**

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## **Canada**

**2009** Canada restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** In Canada, the following legislation applies to restrictions on the export of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999) <http://www.ec.gc.ca/lcpe-cepa/>

The following regulations apply to restrictions on the export of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR), which came into force on November 1, 2005; and PCB Waste Export Regulations, 1996 (PCBWER), which came into force on February 4, 1997.

National stakeholders consultations have been undertaken for the development of regulations on the transboundary movement of non-hazardous wastes for final disposal.

**Countries** Exports are restricted to Parties of the Basel Convention or to non-parties which are subject to an Article 11 agreement (for example, Canada – USA Agreement; OECD Decision C(2001)107/FINAL). In addition, Canada permits the export of Canadian PCB wastes only to the United States and only for the purpose of destruction.

**Remarks** Under the Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulations (EIHWHRMR), Canada defines a hazardous waste or a hazardous recyclable material to include “waste” that is considered hazardous under the domestic legislation of a country and prohibited for import in accordance with the Basel Convention. Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Decision C(2001)107/FINAL).

Legislation and Regulations referred to in 3b(i) place a number of conditions on the export of hazardous waste and hazardous recyclable materials. A full list of the conditions can be found in Part 2 of the EIHWHRMR. Here are some highlights of the conditions:

- Exports of hazardous wastes can only take place to countries that are party to the Basel Convention or are covered under an Article 11 agreement with Canada and the import is not prohibited by that country;
- Requirement for mandatory prior notification of, and consent from (i.e. prior informed consent, (PIC)), the importing country;
- Exports can only take place with a permit issued by Environment Canada;
- Mandatory use of a movement document as a tracking system to ensure that hazardous wastes actually arrive at the intended authorized facilities; and are treated, disposed of or recycled as per the export permit;
- All disposal operations to be followed up with a certificate of disposal;
- Require every exporter and carrier to obtain insurance to cover environmental and third party damages should an accident occur during the transboundary movement of hazardous wastes; and
- Requirements for the return or alternate arrangements of shipments for which the disposal cannot be completed as set out in the permit, to prevent them from becoming "orphaned".

If the Minister is of the opinion that the hazardous waste will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account the criteria set

out in the EIHWHRMR.

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## **Denmark**

**2009** Denmark restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Paragraph 10 in Statutory Order no. 799/2007 with change 1221/2008 on shipment of waste has a general prohibition on import and export of waste for disposal. This prohibition is in accordance with EU Shipment Regulation 1013/2006 article 11.1 (a)

### **Countries**

### **Remarks**

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## **Finland**

**2009** Finland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. The regulation came into force in Finland on 12 July 2007. The amendment 747/2007 to the Waste Act (1072/1993) came into force on 12 July 2007. Waste Act (1072/1993) has further been amended by 806/2008(see 3 d(ii).

**Countries** According to the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, all exports of waste for final disposal outside the European Community are prohibited except to those EFTA countries that are also parties to the Basel Convention. The export ban for final disposal covers both hazardous and non-hazardous wastes.

According to Section 46 of the amendment 747/2007, exports of all wastes to disposal operations are permitted if

- 1)there are not technical or economical prerequisites or facilities needed to dispose the waste in approved manner
- 2)waste is disposed with a higher standard of environmental protection than in Finland
- 3)waste is disposed with approvable standard of environmental protection and with lower costs than in Finland or
- 4)shipment is performed to test a new method of disposal or the shipment in question is for some other experimentation.

### **Remarks**

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## **Germany**

**2009** Germany restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** In Germany the provisions of the Waste Shipment Regulation apply since May 1994, especially referring to Article 34.

**Countries** The export of waste for final disposal into non-EU/non-EFTA countries is prohibited.

### **Remarks**

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## **Ireland**

**2009** Ireland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** As a member of the European Community (EC) Ireland is bound by Council Regulation (EC) No. 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. Article 34 prohibits the export of waste for disposal outside the Community except to EFTA (European Free Trade Agreement) States, which are Parties to the Basel Convention.

### **Countries**

### **Remarks**

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## **Israel**

**2009** Israel restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Israel controls the export of hazardous and other wastes for final disposal according to the Hazardous Substances Regulations (Import and Export of Hazardous Substances Waste), 1994.

**Countries** The restriction on the export of hazardous wastes for final disposal applies to all countries. When exception is made (as described above), waste is exported only to EC or OECD countries that are parties to the convention.

**Remarks** In 2008 the regulations were amended.

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## **Italy**

**2009** Italy restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Council Regulation EC 1013/2006 from 12 July 2007.

**Countries** The restriction covers all exports of waste for disposal are banned outside the EFTA countries.

**Remarks**

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## **Luxembourg**

**2009** Luxembourg restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** A special authorization is required by the modified Waste Management Law of 17th June 1994 for the export of waste to non-EU countries; prohibition of export of waste to non-OECD countries, unless the carrier has a waste carrier authorization delivered according to the modified Waste Management Law.

**Countries**

**Remarks**

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## **Malta**

**2009** Malta restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), which entered into force on 17 September 2000.

**Countries** All countries / regions and all waste covered by the above-mentioned Regulations are covered by this restriction.

**Remarks** As per Provision 8 to the Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), the Competent Authority may take any action whatsoever in order to ban, restrict and control the management, transit, export and import of hazardous waste or other waste.

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## **Monaco**

**2009** Monaco has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks** Due to Custom Agreement with France, transboundary movements of wastes and their final disposal and recovery are controlled by French and European Union policies.

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## **Norway**

**2009** Norway restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** The Norwegian regulation on waste, chap. 13, implements EU Regulation no. 259/93.  
**Countries** Non-OECD countries.  
**Remarks**

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#### **Portugal**

**2009** Portugal restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and the Council entered into to force in 12 July 2007.  
**Countries** The export of waste (hazardous and non hazardous) for final disposal outside the European Community is prohibited, except those EFTA countries that are also parties of Basel Convention.  
**Remarks**

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#### **Sweden**

**2009** Sweden restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** The EU Regulation 1013/2006 on shipments of waste. This Regulation applies from 12 July 2007.  
**Countries** Exports of waste for disposal is prohibited except those to EFTA countries which are also parties to the Basel Convention.  
**Remarks**

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#### **United Kingdom of Great Britain and Northern Ireland**

**2009** United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** Article 34 of the WSR prohibits the export of wastes for disposal, except to other EU and EFTA countries which are part to the Basel Convention. However, the UK prohibits the export of all wastes for disposal as set out in the UK Plan for Shipment of Waste (2007).  
**Countries** Non-Annex VII (Basel Convention) countries for export of hazardous wastes. All countries for exports for final disposal.  
**Remarks** None.

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#### **UN Region: Central and Eastern Europe**

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#### **Armenia**

2009

Armenia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation**

“The order of regulating import, export and transit transportation of hazardous and other wastes over the territory of the Republic of Armenia” approved by the Governmental Decision (No. 97 dated December 8, 1995) regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and their disposal. In accordance with above-mentioned Governmental Decision the obligatory prior notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, which is implemented by the permission of the Ministry of Nature Protection.

The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification.

The “List of regulated and non-regulated wastes, their hazardous properties, documents on declaration, notification and disposal actions” (hereinafter: the List) agreed with the Ministry of Economy and Finance, the Custom State Committee was approved by the Decree of the Ministry of Nature Protection (No. 97 dated August 10, 1999). The List contains the following:

- lists of regulated and non-regulated wastes;
- lists of hazardous properties of wastes according to UN classification, which corresponds to hazardous goods classification system of UN Recommendations on the transport of dangerous goods;
- information related to operations on disposal which are encountered in practice;
- the information required for inclusion in documents on transportation (general characteristics of waste, data on amounts and weight of the waste, the name of exporter, the name of the owner of wastes, the place of waste generation, the date of transportation start, period, etc.);
- blank forms of applications for export of hazardous and other wastes, forms for notifying the start, completion of waste transportation, as well as notification forms for waste receipt (import) or disposal.

The List was prepared in accordance with the Governmental Decision “The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia”, which regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and the disposal thereof.

The Governmental Decision of the Republic of Armenia “On approval of the “Republic of Armenia List of hazardous wastes” (No. 874-N dated May 20, 2004).

The Governmental Decision of the Republic of Armenia “On applying changes to the Decision of the Republic of Armenia No. 97 of December 8, 1995 and on approval of the Republic of Armenia “List of prohibited hazardous wastes” (No. 1093-N dated July 8, 2004).

**Countries**

The above-mentioned prohibition/restrictions are applied for the Republic of Armenia.

**Remarks**

Export of hazardous waste is implemented if country has no technical capacity, facility or appropriate sites for such wastes disposal in environmentally sound way. The export of hazardous waste should be provided with the permission granted by the state competent authority.

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**Bosnia & Herzegovina**

**2009** Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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**Bulgaria**

**2009** Bulgaria restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste in force since July 13, 2007.

**Countries** According to Art. 34 of Regulation (EC) 1013/2006:

1. All export of wastes from the Community destined for disposal shall be prohibited.
2. The prohibition in para.1 shall not apply to exports of waste destined for disposal in EFTA countries which are also Parties to the Basel Convention.
3. Exports of waste for disposal to an EFTA country Party to the Basel Convention shall also be prohibited:
  - a) where the EFTA country prohibits imports of such waste;
  - b) if the competent authority of dispatch has reason to believe that the waste will not be managed in an environmentally sound manner, as referred to in Art. 49, in the country of destination concerned.
4. This provision shall be without prejudice to the take back obligations as laid down in Art.22 and 24 of Regulation (EC) 1013/2006.

**Remarks** The restrictions on the export of hazardous wastes and other wastes for final disposal according to Regulation (EC) 1013/2006 are based on the amendment to the Basel Convention (Decision III/1) "ban amendment".

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**Croatia**

**Legislation**

Regulation on supervision of transboundary movement of waste, OG No 69/06, 17/07, 39/09 which came into force on 1st September 2006, regulates restrictions on transboundary movement of waste.

Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 50., 51. (for hazardous waste) and 53. (for non-hazardous waste) of the Waste Act, Official Gazette, No. 178/04, 111/06, 60/08, 87/09, as follows:

**Article 50**

(1) For the export of hazardous and non-hazardous waste for the purpose of disposal, the person doing the exporting must obtain the decision prescribed by this Act.

(2) Export referred to in paragraph 1 of this Article shall be permitted to a person registered for carrying out waste management activities or a mediator (hereinafter referred to as: the exporter), at the person's request, if the following requirements are met:

1. authorisation for import is granted by the state importing the waste,
2. a contract is concluded between the exporter and importer of waste,
3. authorisation is issued by the states through which the waste will transit on its way to the final destination a document notifying the intended transboundary transport of waste is enclosed – Notification and Movement Document in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,
4. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the costs of waste recovery and/or disposal without posing a risk to the environment,
5. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the environmental remediation costs in case of an accident.

**Article 51**

(1) The Ministry shall decide on the request to export hazardous waste and non-hazardous waste for the purpose of disposal. The decision shall also determine the period for which the decision is valid.

(2) The exporter shall submit a report to the Ministry on the exported quantities and types of hazardous waste and non-hazardous waste for the purpose of disposal by 31 March of the current year, for the previous year.

(3) An appeal shall not be permitted against the decision referred to in paragraph 1 of this Article, but an administrative dispute may be instituted.

**Article 53**

(1) The person registered for export activity cannot begin to export hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters.

(2) The Ministry shall keep the register referred to in paragraph 1 of this Article.

(3) The exporter of non-hazardous waste shall submit to the Ministry a report on the types and quantities of non-hazardous waste exported in the previous year by 1 February of the current year.

(4) If the Ministry rejects the application for registering into the Register referred to in paragraph 1 of this Article, it shall do so by decision.

(5) An appeal shall not be permitted against the decision referred to in paragraph 4 of this Article, but an administrative dispute may be instituted.

(6) The Minister shall prescribe by a special regulation the content and method for keeping the Register referred to in paragraph 1 of this Article, content and method for applying for registration into the Register, as well as waste lists.

**Countries** All country.

**Remarks**

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### **Czech Republic**

**2009** Czech Republic restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (applicable from 12 July 2007).

**Countries** All exports of wastes (both hazardous and non-hazardous) for final disposal are prohibited except those to EU Member countries and EFTA countries that are also Parties to the Basel Convention (CH, IS, LI, NO).

**Remarks** According to the Act on Waste No. 185/2001 Coll. waste generated in the Czech Republic shall be preferentially disposed of in the Czech Republic. According to the Waste Management Plan of the Czech Republic (Government Decree No. 197/2003 Coll.) the export of wastes for the purpose of disposal shall be permitted only if there is not sufficient capacity in the Czech Republic for environmentally sound disposal of the specific kind of waste.

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### **Estonia**

**2009** Estonia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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### **Georgia**

**2009** Georgia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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### **Hungary**

**2009** Hungary restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and of the Council on Shipment of Waste.  
The regulation entered into force on 15.07.2006

**Countries** Art. 34. All export of waste from the Community destined for disposal shall be prohibited.

**Remarks** The regulation shall apply from 12 July 2007.

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### **Latvia**

**2009** Latvia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Latvia accessed to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community has been replaced by Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste is directly applicable in Latvia since July 13, 2006.

**Countries** In accordance with provisions of Article 34 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste:

1. All exports of waste from the Community destined for disposal shall be prohibited.
2. The prohibition in paragraph 1 shall not apply to exports of waste destined for disposal in EFTA countries which are also Parties to the Basel Convention.
3. However, exports of waste for disposal to an EFTA country Party to the Basel Convention shall also be prohibited:
  - (a) where the EFTA country prohibits imports of such waste; or
  - (b) if the competent authority of dispatch has reason to believe that the waste will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned.
4. This provision shall be without prejudice to the take-back obligations as laid down in Articles 22 and 24.

**Remarks**

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**Montenegro**

**2009** Montenegro restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

**Countries** Exports for final disposal are allowed only to BC member countries.

**Remarks** Restrictions on export for final disposal  
Montenegro restricts the export of hazardous wastes and other wastes for final disposal.  
The export can be allowed only if there is no adequate disposal option in Montenegro. No capacity within the country for recovery or disposal of hazardous wastes.

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**Poland**

**2009** Poland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipment of waste which became applicable since 12.07.2007.

**Countries** The restriction covers all countries except for EU and EFTA countries which are also Parties to Basel Convention.

**Remarks** - Shipments within the EU:  
Shipments of waste destined for disposal operations between Member States of the EU are subject to notification procedure stipulated in articles 3 - 11 of the Regulation No 1013/2006.

- Export outside the EU:  
In general all exports of waste for disposal are prohibited except for those to EFTA countries which are Party to Basel Convention (art. 34). In case of export of waste for disposal to EFTA countries, notification procedure stipulated in art. 35 should be applied.

Since 12.07.2007:  
- Shipments within the EU:  
Shipments of waste destined for disposal operations between Member States of the EU are subject to notification procedure stipulated in articles 3 - 11 of the Regulation No 1013/2006.

- Export outside the EU:  
In general all exports of waste for disposal are prohibited except for those to EFTA countries which are Party to Basel Convention (art.34). In case of export of waste for disposal to EFTA countries, notification procedure stipulated in art. 35 should be applied.

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#### **Republic of Moldova**

**2009** Republic of Moldova has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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#### **Romania**

**2009** Romania has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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#### **Serbia**

**2009** Serbia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Serbia restricts the export of hazardous wastes and other wastes for final disposal. The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

The import of waste for the purpose of disposal or recovery for energy purposes is forbidden in accordance with the Law on Waste Management (Off. Gaz. RS No. 36/09, additional 88/2010) and the by-laws regulating in more detail the area of transboundary waste shipments are the following:

Rulebook on the content of documentation submitted in support of the application for the permit for import, export and transit of waste (Official Gazette of RS, No. 60/09, additional 101/10);

Regulation on the waste lists for transboundary shipments, on the content and layout of documentation that accompanies transboundary movement of waste with instructions for their completion (Official Gazette of RS, No. 60/09);

Regulation on designating the types of hazardous wastes that may be imported as secondary raw materials (Official Gazette of RS, No. 60/09).

Regulations of List of non-hazardous waste which is on exemption of permit obtaining obligation, with documentation accompanying transboundary movement of waste (Official Gazette of RS, No. 102/10).

**Countries** The restriction covers all countries.

**Remarks**

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## **Slovakia**

**2009** Slovakia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Since 12 July 2007 the transboundary movements of wastes have been regulated by the Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. According to the Regulation (EC) No 1013/2006, Article 3 (1) a) shipments of all wastes shall be subject to the procedure of prior written notification and consent if destined for disposal operations. Objections to shipments of waste destined for disposal can be raised in compliance with an Article 11 of the Regulation (EC) No 1013/2006. Article 34 deals with an export prohibition (export of waste for disposal) except to EFTA countries.

Based on the objectives of the Waste Management Programme of the Slovak Republic the Ministry of Environment of the Slovak Republic applies objections to shipments of waste destined for disposal pursuant to Article 11 of the Regulation (EC) No 1013/2006.

**Countries**

**Remarks** Annex IV A of the Basel Convention is equal to Annex III of the national Act No. 223/2001 Coll. as amended by subsequent regulations.

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## **Slovenia**

**2009** There is no information concerning restrictions on the export of hazardous wastes and other wastes for final disposal provided for Slovenia.

**Legislation** Regulation (EC) 1013/2006, especially art. 34, 39 and 40. Entry into force: July 2006.

**Countries** Prohibition of exports of waste destined for operations set out in Annex IVA of Basel Convention (D-codes) into non-EU/non-EFTA countries.

**Remarks**

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## **Ukraine**

**2009** Ukraine has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks* Export of hazardous wastes is carried out in accordance with the Basel Convention provisions.

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**UN Region:** *Latin America and the Caribbean*

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**Argentina**

**2009** Argentina has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks*

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**Barbados**

**2009** Barbados has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks*

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**Bolivia**

**2009** Bolivia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks* Bolivia con relación a las exportaciones de desechos peligrosos se enmarca y trabaja en el marco de las convenciones de Basilea y Rotterdam.

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**Brazil**

**2009** Brazil has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks* Although there are not restrictions, this practice is not usual due to ethical aspects. Some exportations happen just for recycling and treatment.

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**Costa Rica**

**2009** Costa Rica has no restrictions on the export of hazardous wastes and other wastes for final disposal.

*Legislation*

*Countries*

*Remarks*

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**Cuba**

**2009** Cuba restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** The Resolution 136/2009 of the CITMA (entry into force 28/09/2009). In their article 69 prohibit all transboundary movement of hazardous biological wastes (Annex I of the Resolution).  
**Countries** All the countries.  
**Remarks** None

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#### **Ecuador**

**2009** Ecuador restricts the export of hazardous wastes and other wastes for final disposal.  
**Legislation** There is not an specific legislation for the export related to final disposal, however there is restrictions related to the export in general way:  
The Ministry of Environment will permit to export dangerous waste when themselves be not incurred in situations predicted in the previous articles and fulfilled the following conditions:  
1. That the exporter has obtained the environmental license given by Ministry of Environment (MAE)  
2. That the packing, the identification, and transportation are made in accordance with the established law, technical guides and international practices  
3. That the environmental authority of the import country has approved the import  
4. That the exporter includes the corresponding insurance that covers damages that could cause to the environment or to legal and natural people.  
Environmental Law United Text of Ecuadorian Environmental Ministry published in the official Registration No. 2 of March, 2003.  
Book VI of the Environmental Quality, Title V Regulation for prevention and control of the contamination by hazardous waste.  
**Countries** To national level.  
**Remarks** The Ministry of Environment is the National Environmental Authority.

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#### **Guatemala**

**2009** Guatemala has no restrictions on the export of hazardous wastes and other wastes for final disposal.  
**Legislation**  
**Countries**  
**Remarks**

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#### **Honduras**

**2009** Honduras has no restrictions on the export of hazardous wastes and other wastes for final disposal.  
**Legislation**  
**Countries**  
**Remarks**

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#### **Mexico**

**2009** Mexico restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes.

The article 85 of the LGPGIR, establishes the follow, “The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings.

Also, in accordance with Article 87 of the LGPGIR: “The authorizations for the export of hazardous wastes will be only emitted when that ask for them count on the previous consent of the import country and, in its case of the governments of the countries by which the wastes journey.

**Countries** The restriction covers all countries.

**Remarks**

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### **Nicaragua**

**2009** Nicaragua restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** •Artículo 133: el Ministerio del Ambiente y los Recursos Naturales, podrá autorizar la exportación de residuos tóxicos cuando no existiese procedimiento adecuado en Nicaragua para la desactivación o eliminación de los mismos, para ello se requerirá de previo el consentimiento expreso del país receptor para eliminarlos en su territorio. La Ley 217 General del Medio Ambiente y los Recursos Naturales fue publicada en la Gaceta Diario Oficial N°. 105 del 6 de junio de 1996 y ratificado en la Ley de Reformas y Adiciones a la Ley N°. 217, Ley General del Medio Ambiente y los Recursos Naturales, publicada en la Gaceta Diario Oficial N°. 62 del 3 de abril de 2008.

**Countries** El artículo no especifica la categoría del desecho peligroso. Por tanto, se puede entender que se puede aplicar a todos los desecho objeto de exportación. Así como, la restricción está dirigida a todos los países, hacia donde se haya trazado su destino final o dirigir la exportación.

**Remarks** Se necesita la No Objeción del país destino.

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### **Saint Lucia**

**2009** Saint Lucia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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### **Venezuela**

**2009** Venezuela has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation**

**Countries**

**Remarks**

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