

ANNEX IX

ADDITIONAL QUESTIONNAIRE FOR REPORTS BY MEMBER STATES

PURSUANT TO ARTICLE 51(2)

REFERENCE YEAR: 2016

REPORTING COUNTRY: SLOVAKIA

Article 11(1)(a)	<p>Information on the measures taken to prohibit generally or partially shipments of waste between Member States In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 2006/12/EC</p> <p>Has this provision been applied? Yes No</p> <p><i>(please tick ✓ as appropriate)</i> ✓ <input type="checkbox"/></p> <p>If yes, please provide details of the measures taken: According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 84 (3) transboundary movement of waste from another Member State to the Slovak Republic and import of waste from a non-Member State to the Slovak Republic for the purpose of disposal it is prohibited, unless otherwise determined by an international treaty to which the Slovak Republic is party. (4) waste generated in the Slovak Republic is preferably to be disposed in the Slovak Republic. (5) It is prohibited to: a) arrange or otherwise participate in transboundary movement of waste which is contrary to the provisions of this part of the Act, b) transport waste or haul waste in transit on the territory of the Slovak Republic or from the territory of the Slovak Republic contrary to the provisions of this part of the Act.</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 86 (1) the Ministry may raise objections (Articles 11 and 12 (EC) No. 1013/2006 as amended) to notifications on the transport of waste intended for disposal and to notifications on the transport of waste intended for recovery. (2) if the Ministry raises objections (Articles 11 and 12 (EC) No. 1013/2006 as amended), it shall start from the binding part of the Slovak Republic's programme. (3) the Ministry may prohibit the transboundary movement of waste if the notifier, recipient or person authorised to act in the name of the notifier or recipient taking part in said transboundary movement of waste has been lawfully a) pronounced guilty of committing an offence resulting from an act of unlawful transport,144) b) pronounced guilty within the past three years of committing an offence resulting from another unlawful act in the field of waste management, as specified in Letter a), or c) convicted of a criminal act against the environment within the past three years (§ 300 through 309 of the Criminal Code).</p> <p>Slovakia also applies Article 4 (9) of the Basel Convention.</p>
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	Additional remarks:

	Information on the measures taken to object systematically to shipments of waste between Member States
	In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 2006/12/EC
	Has this provision been applied? Yes No
	<i>(please tick ✓ as appropriate)</i> ✓ <input type="checkbox"/>
	<p>If yes, please provide details of the measures taken: According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 86 (1) the Ministry may raise objections (Articles 11 and 12 (EC) No. 1013/2006 as amended) to notifications on the transport of waste intended for disposal and to notifications on the transport of waste intended for recovery. (2) if the Ministry raises objections (Articles 11 and 12 (EC) No. 1013/2006 as amended), it shall start from the binding part of the Slovak Republic's programme. (3) the Ministry may prohibit the transboundary movement of waste if the notifier, recipient or person authorised to act in the name of the notifier or recipient taking part in said transboundary movement of waste has been lawfully a) pronounced guilty of committing an offence resulting from an act of unlawful transport,144) b) pronounced guilty within the past three years of committing an offence resulting from another unlawful act in the field of waste management, as specified in Letter a), or c) convicted of a criminal act against the environment within the past three years (§ 300 through 309 of the Criminal Code).</p> <p>Slovakia also applies Article 4 (9) of the Basel Convention.</p>
	Additional remarks:

<p>Article 11(1)(e)</p>	<p>Information on the prohibition of the import of waste</p> <p>Has this provision been applied? Yes No</p> <p><i>(please tick ✓ as appropriate)</i> ✓ <input type="checkbox"/></p> <p>If yes, please provide details of the measures taken: According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 84 (3) transboundary movement of waste from another Member State to the Slovak Republic and import of waste from a non-Member State to the Slovak Republic for the purpose of disposal it is prohibited, unless otherwise determined by an international treaty to which the Slovak Republic is party. (5) It is prohibited to:</p> <ul style="list-style-type: none"> a) arrange or otherwise participate in transboundary movement of waste which is contrary to the provisions of this part of the Act, b) transport waste or haul waste in transit on the territory of the Slovak Republic or from the territory of the Slovak Republic contrary to the provisions of this part of the Act. <p>Slovakia also applies Articles 4 (1), (9) of the Basel Convention. Principles of transboundary movements of waste are in compliance with objectives given in the Waste Management Programme of the Slovak Republic.</p>
<p>Article 11(3)</p>	<p>Information on exceptions to the implementation of the principle of proximity, priority for recovery and self-sufficiency</p> <p>In the case of hazardous waste produced in a Member State of dispatch in such a small quantity overall per year that the provision of new specialised disposal installations within that State would be uneconomic</p> <p>Have you asked any Member State to apply this exception? Yes No</p> <p><i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> ✓</p> <p>If yes, please complete Table 1 and give details below of any bilateral solution found pursuant to Article 11(3):</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>Have you received any request from Member States to apply this exception?</p> <p>Yes No</p> <p><i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> ✓</p> <p>If yes, please complete Table 1 and give details below of any bilateral solution found pursuant to Article 11(3):</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p>

Article 11(1)(g)	Information on objections to planned shipments or disposal on the basis of their not being in accordance with Directive 2006/12/EC	
	Has this provision been applied?	Yes No
	<i>(please tick ✓ as appropriate)</i>	<input type="checkbox"/> ✓
	If yes, please complete Table 2.	

Article 12(5)	<p>Information on objections to planned shipments or recovery on the basis of their not being in accordance with Article 12(1)(c)</p> <p>Has this provision been applied? Yes No</p> <p>(please tick ✓ as appropriate) <input type="checkbox"/> ✓</p> <p>If yes, please complete Table 3.</p>
Article 14	<p>Information on decisions by competent authorities having jurisdiction over specific recovery facilities to issue pre-consents to such facilities</p> <p>Has there been any case? Yes No</p> <p>(please tick ✓ as appropriate) <input type="checkbox"/> ✓</p> <p>If yes, please complete Table 4.</p>
Article 33	<p>Information on the Member States' system for the supervision and control of shipments of waste exclusively within their jurisdiction</p> <p>Is there a system for the supervision and control of shipments of waste within the jurisdiction? Yes No</p> <p>(please tick ✓ as appropriate) ✓ <input type="checkbox"/></p> <p>If there is such a system, do you apply the system provided for in Titles II and VII of the Regulation? Yes No</p> <p>(please tick ✓ as appropriate) <input type="checkbox"/> ✓</p> <p>If you apply a different system from that provided for in Titles II and VII of the Regulation, please give details of the system applied:</p> <p>The shipments of waste within the Slovak territory is regulated by certain Articles of the national Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 26 - Obligations relating to the transport of hazardous waste within the territory of the Slovak Republic</p> <p>(1) Anyone who has entered into a contract with a carrier which has as its object the transport of hazardous waste [§ 610 through 629 and § 638 through 641 of the Commercial Code (and § 765 through 771)] or undertakes the transport of hazardous waste using his or her own means of transport (hereinafter the “hazardous waste consignor”) shall</p> <p>a) ensure that hazardous waste is transported in compliance with this Act and, if a permit is required for the transport of hazardous waste under § 97(1)f), in compliance with this permit,</p> <p>b) use for the transport of hazardous waste only such means of transport that conform to the provisions of international agreements on the transport of dangerous goods [European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) (Implementing Decree of the Minister of Foreign Affairs No 64/1987) as amended, Convention concerning International Carriage by Rail (COTIF) (Implementing Decree of the Minister of Foreign Affairs No 8/1985)]; if not undertaken by himself or herself, ensure that the transport is undertaken by a carrier authorised under specific regulations (For example Act No 513/2009 on railroads and on amendments to certain acts, Act No 56/2012 on road transport, as amended).</p> <p>(2) The hazardous waste consignor and the person to whom the hazardous waste is consigned (hereinafter the “hazardous waste consignee”) shall</p> <p>a) keep and retain records of the hazardous waste transported,</p> <p>b) report the required information from the records under a) to the district office competent</p>

	<p>according to the place where the hazardous waste is loaded and the place where it is unloaded; if the permit for the transport of hazardous waste has been granted by the district office in the regional capital, this information shall also be reported to this office,</p> <p>c) enable state waste management system supervisory authorities (§ 112) to inspect the waste management practices in the course of transport; at their request, present the relevant documentation (for example Act No 56/2012 Coll. as amended) and provide true and complete information relating to the waste management system,</p> <p>d) carry out any remedial measures imposed by state waste management system supervisory authorities [§ 116 (3)].</p> <p>(3) When transporting hazardous waste, the hazardous waste consignors, hazardous waste consignees and carriers shall sign the hazardous waste accompanying sheet.</p> <p>(4) Hazardous waste consignors shall send a photocopy of the hazardous waste accompanying sheet to the district office competent according to the place where the hazardous waste is loaded and the place where it is unloaded; if the permit for the transport of hazardous waste has been granted by the district office in the regional capital, the photocopy shall also be sent to this office.</p> <p>(5) Hazardous waste consignees shall send the hazardous waste accompanying sheet signed in accordance with paragraph 3 to the hazardous waste consignor, the district office competent according to the place where the hazardous waste is loaded and the place where it is unloaded; if the permit for the transport of hazardous waste has been granted by the district office in the regional capital, the accompanying sheet shall also be sent to this office.</p> <p>(6) The obligations referred to in paragraph 2b) and paragraphs 3 through 5 shall not apply to the transport of end-of-life vehicles from the place of collection of end-of-life vehicles or a designated parking area to a processor of end-of-life vehicles.</p>						
Article 24 and Article 50(1)	<p>Information on illegal shipments of waste</p> <table><tr><td>Has there been any case?</td><td>Yes</td><td>No</td></tr><tr><td>(please tick ✓ as appropriate)</td><td>✓</td><td><input type="checkbox"/></td></tr></table> <p>If yes, please complete Table 5.</p> <p>Please provide information on how illegal shipments of waste are prevented, detected and penalised under national legislation:</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 106 the inspectorate</p> <p>(a) is a waste management administrative authority (§ 112),</p> <p>(c) decides in contested cases on whether a given good constitutes waste in the case of transboundary transport,</p> <p>(d) is authorised to inspect documents in the field of transboundary waste movement pursuant separate legislation [Regulation (EC) No 1013/2006 as amended. Regulation (EC) No 1418/2007 of 29 November 2007 (OJ L 316, 4 December 2007), as amended] and pursuant to this Act, conduct physical inspections of waste, and take and analyse waste samples at the place of origin of the waste, at the notifier or recipient of the waste, at border crossings and in the entire territory of the Slovak Republic.</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 111</p> <p>(1) In cases of transboundary waste movement by road, the customs authority and Customs Criminal Office verify whether:</p> <p>a) the waste is furnished with the documents pursuant to separate legislation [Regulation (EC) No 1013/2006 as amended. Regulation (EC) No 1418/2007 of 29 November 2007 (OJ L 316, 4 December 2007), as amended],</p> <p>b) transported goods which are not accompanied by the documents required pursuant to the special regulations [Regulation (EC) No 1013/2006 as amended. Regulation (EC)</p>	Has there been any case?	Yes	No	(please tick ✓ as appropriate)	✓	<input type="checkbox"/>
Has there been any case?	Yes	No					
(please tick ✓ as appropriate)	✓	<input type="checkbox"/>					

	<p>No 1418/2007 of 29 November 2007 (OJ L 316, 4 December 2007), as amended] are not waste,</p> <p>c) the transboundary waste movement is not in violation of separate legislation [Regulation (EC) No 1013/2006 as amended. Regulation (EC) No 1418/2007 of 29 November 2007 (OJ L 316, 4 December 2007), as amended],</p> <p>d) the waste being transported corresponds to the facts according to the enclosed documents.</p> <p>(2) During a check, the customs office and Customs Criminal Office are authorised to detain vehicles, command vehicles to stop at a suitable location, inspect documents, the waste being hauled, take and analyse samples and conduct photodocumentation.</p> <p>(3) If the customs office or Customs Criminal Office determines that the transboundary waste movement constitutes unlawful transport pursuant to separate legislation [Article 2(35) of Regulation (EC) No 1013/2006 as amended] or that the transboundary waste movement is being conducted in conflict with the permit, it will order the transport to stop and temporarily detain the vehicle.</p> <p>(4) If the customs office or Customs Criminal Office detects a violation of separate legislation [Article 2(15) of Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (OJ L 190, 12 July 2006), as amended. Commission Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply (OJ L 316, 4 December 2007), as amended] during transboundary waste movement, it shall inform the Ministry and inspection without delay. Upon receiving the information, the Ministry or inspection shall decide on further proceedings without delay, in which it may determine a location for the shipper to detain the vehicle until it is returned, recovered or disposed of pursuant to separate legislation [Articles 22 to 25 of Regulation (EC) No 1013/2006 as amended].</p> <p>(5) The costs connected with interrupting the transport and temporarily detailing the vehicle pursuant to paragraph 3, driving the vehicle to the location determined pursuant to paragraph 4, parking the vehicle and potential transloading, storage or other handling of the waste shall be borne by the shipper. The Ministry, inspection and customs authorities or Customs Criminal Office are not accountable for damages caused to the shipper which took place as a result of detaining the vehicle pursuant to paragraphs 3 and 4.</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 115 (1) an offence is committed by a person who</p> <p>t) performs transboundary waste movement in a manner contrary to Part Seven of this Act (§ 84 through 88).</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 117</p> <p>(5) The competent state administrative authority for waste management will impose a fine from EUR 2 000 to EUR 250 000 upon legal persons or sole traders who violate obligations pursuant to:</p> <p>article 84 (4) - waste generated in the Slovak Republic is preferably to be disposed in the Slovak Republic</p> <p>article 88 (2) - a holder of used EEE which is the subject of the planned or already performed transboundary transport is obliged to safeguard and store the following documents relating to said used EEE for three years and present them without delay to the competent waste management administrative authority in the event that said used EEE becomes suspicious EEE in the interest of demonstrating that it is not WEEE:</p> <p>a) accompanying documents and results of testing or assessment,</p> <p>b) applicable transport document pursuant to separate legislation [Convention on the Contract for the International Carriage of Goods by Road (CMR) (Decree of the Minister of Foreign Affairs No 11/1975) as amended]</p> <p>c) declaration on the assumption of responsibility,</p> <p>d) a declaration that none of the materials and equipment that are the subject of transboundary</p>
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	<p>transport are waste.</p> <p>article 88 (4) - a holder of used EEE which is the subject of planned or already conducted transboundary transport is obliged to suitably protect said used EEE from damage during transport, handling and unloading, in particular by means of sufficient packaging and cargo securing.</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 117</p> <p>(6) the competent state administrative authority for waste management will impose a fine from EUR 4 000 to EUR 350 000 upon legal persons or sole traders who violate obligations pursuant to:</p> <p>article 84 (3) - transboundary movement of waste from another Member State to the Slovak Republic and import of waste from a non-Member State to the Slovak Republic for the purpose of disposal it is prohibited, unless otherwise determined by an international treaty to which the Slovak Republic is party.</p> <p>article 84 (5) - it is prohibited to:</p> <ul style="list-style-type: none"> a) arrange or otherwise participate in transboundary movement of waste which is contrary to the provisions of this part of the Act, b) transport waste or haul waste in transit on the territory of the Slovak Republic or from the territory of the Slovak Republic contrary to the provisions of this part of the Act.
Article 50(2)	<p>Information on spot checks on shipments of waste or on the related recovery or disposal</p> <p>Number of checks on shipments of waste or on the related recovery or disposal: 57</p> <p>Number of supposed illegal shipments ascertained during these checks:</p> <p>Additional remarks:</p> <p>41 spot checks on shipments of waste were performed and 16 inspections of notifiers were performed.</p>
Article 6	<p>Information on a financial guarantee or equivalent insurance covering costs for transport, recovery or disposal and storage of waste, including cases referred to in Articles 22 and 24</p> <p>Please provide details on the provisions of national law adopted pursuant to this Article:</p> <p>According to the Act No. 79/2015 Coll. on waste and on amendments to certain acts as amended, Article 87 - Financial security</p> <p>(1) The Ministry determines the financial security in the form of financial collateral (hereinafter “collateral”) or insurance policy of equivalent value pursuant to separate legislation [Article 6 of Regulation (EC) No 1013/2006 as amended] in the case of transboundary movement of waste from the Slovak Republic to another Member State and export of waste from the Slovak Republic to another Member State; the Ministry shall determine additional financial security in cases established in separate legislation [Convention on the Contract for the International Carriage of Goods by Road (CMR) (Decree of the Minister of Foreign Affairs No 11/1975) as amended].</p> <p>(2) The amount of the collateral shall be determined by the Ministry upon examining the demonstrable costs of transport, recovery or disposal including all preliminary activities necessary and the costs of storage up to 90 days and shall be set at one and a half times said costs. The notifier shall deposit the collateral determined by the Ministry at a bank or at a branch of a foreign bank by means of tying up funds for an indefinite period of time to the benefit of the Ministry. The notifier shall submit the original document verifying that the collateral has been deposited to the Ministry before the decision is issued to grant a permit for the transboundary movement of waste pursuant to paragraph 1.</p> <p>(3) An insurance policy of equivalent value is deemed to be an insurance policy with which the sum of the insurance settlement covers the demonstrable costs of the transport, recovery or disposal including all preliminary activities necessary and the costs of storage for up to 90 days at a sum of one and a half times said costs; the notifier must take out said insurance policy before the decision is issued to grant a permit for the transboundary movement of waste</p>

	<p>pursuant to paragraph 1. The notifier shall submit the original document verifying that the collateral has been deposited to the Ministry before the decision is issued to grant a permit for the transboundary movement of waste pursuant to paragraph 1. The notifier shall submit the original of the insurance document before issuing the decision granting the consent with transboundary movement of waste under paragraph 1.</p> <p>(4) The collateral pursuant to paragraph 2 shall be returned to the notifier (except in cases specified in separate legislation [Article 6 of Regulation (EC) No 1013/2006 as amended] if the notifier:</p> <p>a) submits a request for the return or cancellation of the collateral and confirmation that the waste has been destroyed or recovered in the form of a certified document on transboundary movement/transport of waste or attaches said confirmation to said document,</p> <p>b) demonstrates that the transboundary movement of waste from the Slovak Republic to another Member State or the exportation of waste from the Slovak Republic to a non-Member State did not take place or will not take place, or</p> <p>c) demonstrates that the transboundary movement of waste from a non-Member State to the Slovak Republic or the importation of waste from a non-Member State to the Slovak Republic did not take place or will not take place.</p>						
Article 55	<p>Information on any customs offices designated by Member States for shipments of waste entering and leaving the Community</p> <table><tr><td>Has there been any designation?</td><td>Yes</td><td>No</td></tr><tr><td><i>(please tick ✓ as appropriate)</i></td><td>✓</td><td><input type="checkbox"/></td></tr></table> <p>If yes, please complete Table 6.</p>	Has there been any designation?	Yes	No	<i>(please tick ✓ as appropriate)</i>	✓	<input type="checkbox"/>
Has there been any designation?	Yes	No					
<i>(please tick ✓ as appropriate)</i>	✓	<input type="checkbox"/>					

Note for completion of the tables:

D-codes and R-codes are those referred to in Annexes II A and II B to Directive 2006/12/EC.

Waste identification codes are those referred to in Annexes III, IIIA, IIIB, IV and IVA to this Regulation.

Table 1

INFORMATION ON EXCEPTIONS TO THE IMPLEMENTATION OF THE PRINCIPLES OF PROXIMITY,
PRIORITY FOR RECOVERY AND SELF-SUFFICIENCY (Article 11(3))

Waste identification (code)	Quantity (kg/litres)	Country of destination (De)/ country of dispatch (Di)	Disposal operation D-code	Referral of the matter to the Commission (Yes/No)

Table 2

OBJECTIONS TO PLANNED SHIPMENTS OR DISPOSAL (Article 11(1)(g))

Waste identification (code)	Quantity (kg/litres)	Country of transit (T)/ country of dispatch (Di)	Reasons for the objection <i>(please tick ✓ as appropriate)</i>			Facility	
			Article 11(1)(g)(i)	Article 11(1)(g)(ii)	Article 11(1)(g)(iii)	Name <i>(in case of Article 11(1)(g)(ii))</i>	Disposal operation D-code

Table 3

OBJECTIONS TO PLANNED SHIPMENTS OR RECOVERY (Article 12(1)(c))

Waste identification (code)	Quantity (kg/litres)	Country of destination	Reasons for the objection <i>and details of relevant national legislation</i>	Facility <i>(in the country of destination)</i>	
				Name	Recovery operation R-code

Table 4

INFORMATION ON DECISIONS BY COMPETENT AUTHORITIES TO ISSUE PRE-CONSENTS (ARTICLE 14)

Competent authority	Recovery facility				Waste identification (code)	Period of validity		Revocation (date)
	Name and No	Address	Recovery operation R-code	Technologies employed		From	To	

Table 5

INFORMATION ON ILLEGAL SHIPMENTS OF WASTE * (Article 24 and Article 50(1))

[illegible]

(*) Information on cases which have been closed during the reporting period

Table 6

INFORMATION ON ANY SPECIFIC CUSTOMS OFFICES DESIGNATED BY MEMBER STATES FOR
SHIPMENTS OF WASTE ENTERING AND LEAVING THE COMMUNITY (Article 55)

Customs office		
Office	Location	Import/export countries controlled
Čierna nad Tisou	Čierna nad Tisou (SK) – Čop (UA) (train/rail)	Import and export
Čierna nad Tisou	Vyšné Nemecké (SK) – Užgorod (UA)	Import and export
Čierna nad Tisou	Ubl'a (SK) – Maly Bereznyj (UA) (road – up to 3.5 t)	Import and export