

**Commission Decision
of 3 June 1999
concerning a questionnaire for the reporting obligation of Member States
pursuant to Article 4(2) of Council Regulation (EEC) No 259/93**

1999/412/EC

Annex

**Questionnaire for Member States reporting obligation pursuant to
Council Regulation (EEC) No 259/93**

Country: SLOVAKIA

Date: 28/11/2007

YEAR 2006

Article 1 (3) (d)	<p>Information on the control and shipment of wastes listed in Annex II to the Regulation</p> <p>In exceptional cases, shipments of wastes listed in Annex II may, for environmental or public health reasons, be controlled by Member States as if they had been listed in Annex III or IV.</p> <p>Has there been any export case ? Yes ✓ <input type="checkbox"/> No <input type="checkbox"/></p> <p>(please tick ✓ as appropriate)</p> <p>If yes, please complete Table 1.</p> <p>Has there been any import case? Yes ✓ <input type="checkbox"/> No <input type="checkbox"/></p> <p>(please tick ✓ as appropriate)</p> <p>If yes, please complete Table 2.</p>
Article 4 (3) (a) (i)	<p>Information on measures taken to prohibit generally or partially shipments of waste between Member States</p> <p>In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 75/442/EEC</p> <p>Has this provision been applied ? Yes ✓ <input type="checkbox"/> No <input type="checkbox"/></p> <p>(please tick ✓ as appropriate)</p> <p>If yes, please provide details on the measures taken:</p> <p>According to the Waste Act No 223/2001 Coll. of Laws as amended by subsequent regulations, Article 23 - an import of all waste types destined for final disposal is banned from all countries to Slovakia.</p> <p>Slovakia also applies Article 4 (9) of the Basel Convention.</p> <p>Additional remarks:</p>

	<p>Information on the measures taken to object systematically to shipments of waste between Member States</p> <p>In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 75/442/EEC</p> <p>Has this provision been applied ? Yes ✓ No</p> <p>(please tick ✓ as appropriate) <input type="checkbox"/> <input type="checkbox"/> </p> <p>If yes, please provide details on the measures taken: <i>According to the Waste Act No 223/2001 Coll. of Laws as amended by subsequent, Article 23 para 3</i></p> <p>Additional remarks:</p>
<p>Article 4(3)(a)(ii) and 4(3)(a)(iii)</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> <input type="checkbox"/> <input type="checkbox"/> </p> <p>(please tick ✓ as appropriate)</p> <p>If yes, please complete Table 3 and give details below on any bilateral solution found pursuant to article 4(3)(a)(iii).</p> <p>Have you received any request from Member States to apply this exception? Yes No ✓</p> <p> <input type="checkbox"/> <input type="checkbox"/> </p> <p>(please tick ✓ as appropriate)</p> <p>If yes, please complete Table 3 and give details below on any bilateral solution found</p>

	<p>pursuant to article 4(3)(a)(iii).</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
Article 4(3)(b)	<p>Information on objections to planned shipments On the basis of them not being in accordance with Directive 75/442/EEC</p> <p>Has this provision been applied?</p> <p style="text-align: right;">Yes No ✓</p> <p>(please tick ✓ as appropriate)</p> <p style="text-align: right;"><input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete Table 4.</p>
Article 9(1) and (2)	<p>Information on Decisions by competent authorities having jurisdiction over specific recovery facilities not to raise objections concerning shipments of certain types of waste to a specific recovery facility</p> <p>Has there been any case?</p> <p style="text-align: right;">Yes No ✓</p> <p>(please tick ✓ as appropriate)</p> <p style="text-align: right;"><input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete Table 5.</p>
Article 13	<p>Information on the Member States' system for the supervision and control of shipments of waste within their territory</p> <p>Is there a system for the supervision and control of shipments of waste within the national territory?</p> <p>(please tick ✓ as appropriate)</p> <p style="text-align: right;">Yes ✓ No</p> <p style="text-align: right;"><input type="checkbox"/> <input type="checkbox"/></p> <p>If there is such a system, do you apply the system provided for in Titles II, VII and VIII of the Regulation?</p> <p style="text-align: right;">Yes No ✓</p> <p>(please tick ✓ as appropriate)</p> <p style="text-align: right;"><input type="checkbox"/> <input type="checkbox"/></p> <p>If you apply a different system from that provided for in Titles II, VII and VIII of the Regulation, please give details of the system applied:</p> <p>.....</p> <p>The shipments of waste within the Slovak territory is controlled under the national Waste Act No 223/2001 Coll. of Laws that is in compliance with the Directive 75/442/EEC on waste as amended.</p> <p>.....</p> <p>.....</p> <p>.....</p>
Article 26	<p>Information on illegal traffic of waste</p> <p style="text-align: right;">Yes ✓ No</p> <p>Has there been any case?</p> <p>(please tick ✓ as appropriate)</p> <p style="text-align: right;"><input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete Table 6.</p>

	<p>Please, provide information on how illegal traffic of waste is prohibited and punished under national legislation pursuant to this Article.</p> <p>In accordance with the Waste Act No. 223/2001 Coll of Laws, Part IX – Accountability for failure to comply with obligations, Article 78 - Administrative Torts (3) (a), (d) A fine up to SKK 5,000,000 shall be imposed by the competent state administration authority in waste management to a legal entity or an individual – entrepreneur that (a) performed illegal waste shipment [§ 18 paragraph 3 letter d)] and (d) violated a ban or obligations stipulated in Articles 23, 25 through 38 applicable to waste import, export and transit.</p>	
Article 27	<p>Information on financial guarantees or equivalent insurance covering costs for shipment of waste covered by this Regulation, including cases referred to in Articles 25 and 26, and for disposal or recovery</p> <p>Please, provide details on the national system established pursuant to this Article.</p> <p>In accordance with the Act No 443/2004 Coll of Laws, Article 24 – Financial surety</p> <p>(1) Financial surety of transboundary movement creates a financial guarantee (hereinafter “guarantee”) or an equivalent insurance.</p> <p>(2) The amount of guarantee shall be determined by the Ministry after having viewed provable costs of the waste shipment including transport by special regulation (Articles 25 and 26 of the Council Regulation No 259/93/EC in valid wording) and to their disposal or recovery, which is one and a half multiple of those costs. The notifier shall furnish guarantee in the amount fixed by the Ministry at a bank or at the foreign bank branch (an Article 2 (1), (5) and (8) of the Act No 483/2001 Coll. of Laws on banks and on amendment of certain Acts as amended by subsequent regulations) by earmarking funds on behalf of the Ministry for unlimited time period, not later than 3 days before starting shipment of waste.</p> <p>(3) An insurance considers an equivalent insurance that amount fully covers provable costs including transport by special regulation (Articles 25 and 26 of the Council Regulation No 259/93/EC in valid wording) and costs to their disposal or recovery, which is one and a half multiple of those costs. The notifier has to furnish this insurance not later than 3 days before starting shipment of waste.</p> <p>(4) Provisions (2) and (3) are applied to the export of waste from the territory of the Slovak Republic where a permission is needed; in other cases a financial surety of transboundary movement at the territory of other Member state is considered as financial surety by special regulations (Council Regulation No 259/93/EC on the supervision and control of shipments of waste within, into and out of the European Community/Official Journal of the European Communities L 030, 06.02.1993/ in valid wording; Council Regulation No 1420/1999/EC of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste /Official Journal of the European Communities L 166, 01.07.1999/ in valid wording; Commission Regulation (EC) No 1547/1999 of 12 July 1999 determining the control procedures under Council Regulation (EEC) No 259/93 to apply to shipments of certain types of waste to certain countries to which OECD Decision C(92) 39 final does not apply / Official Journal of the European Communities L 185, 17.07.1999/ in valid wording; Commission Decision 94/774/EC of 24 November 1994 concerning the standard consignment note referred to in Council Regulation (EEC) No 259/93/Official Journal of the European Communities L 310, 03.12.1994/ in valid wording.)</p> <p>(5) Guarantee under (2) will be returned to a notifier except cases given in special regulation (an Article 27 of the Council regulation (EEC) No 259/93 in valid wording) and also in case if notifier proves that the transboundary movement was cancelled or will not be effected.</p> <p>Note:</p> <p>Calculation formula of guarantee: [(length of route*30) + (costs of disposal*waste amount for one transport)] * 1.5</p>	
Article 39(1)	Information on the customs posts designated by Member States for shipments of waste in and out of the Community	Please complete Table 7

Note for completion of the tables:

D and R codes are those referred to in Annexes II A and II B to Directive 75/442/EEC, as amended.

Waste codes are those referred to in Annexes II to IV to Council Regulation (EEC) No 259/93, as amended.

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Table 1

Export of wastes listed in Annex II to the Regulation (Article 1(3)(d))

Waste code	Reason for control	Amount exported (metric tonnes)	Country of transit (T)/ Country of import (I)	Operations leading to recovery R code
740400 GA120	environmental	172.76	Poland (I)	R4
7204 GA430	environmental	5,365.97	Poland (I)	R12, R4

Note: Based on the Treaty of Accession of the SR to the EU the wastes listed on Green Waste List of OECD are under control of the relevant national authority since 1st May 2004 (Articles 6,7,8 of the Waste Shipment Regulation).

Table 2

Import of wastes listed in Annex II to the Regulation (Article 1(3)(d))

Waste code	Reason for control	Amount imported (metric tonnes)	Country of transit (T)/ Country of origin (O)	Operations leading to recovery R code
740400 GA120	environmental	2455.96 2086.69 911.36 2150.88	Czech Republic (O) Germany (O) Hungary (O) Poland (O)	R4 R4 R4 R4
760200 GA140	environmental	2301.61 843.11 768.03 329.75	Czech Republic (O) Germany (O) Hungary (O) Poland (O)	R4 R4 R4 R4
7204 GA430	environmental	25691.27 99147.96 63629.46 347.30 5980.45 3416.35	Czech Republic (O) Hungary (O) Poland (O) Russian Federation (O) Romania (O) Ukraine (O)	R4 R4 R4 R4 R4 R4
ex 262090 GB040	environmental	256.60	Ukraine (O)	R4
GC020	environmental	25.88	Netherlands (O)	R3;R4
ex 700100 GE010	environmental	3648.12	Hungary (O)	R5
3915 GH010	environmental	8251.39	Austria (O)	R1;R3
ex 391510 GH011	environmental	3146.10 21.72	Austria (O) Poland (O)	R3 R3
ex 391590 GH014	environmental	791.97	Czech Republic (O)	R3
4707 GI010	environmental	269.94 11531.89	Austria (O) Czech Republic (O)	R3 R3
470730 GI013	environmental	4304.91 5643.68 605.94 6254.48 3480.50	Austria (O) Czech Republic (O) Germany (O) Hungary (O) Poland (O)	R3 R3 R3 R3 R3

401220	environmental	3446.73	Austria (O)	R1;R3
GK020		2767.89	Hungary (O)	R1
		281.00	Netherlands (O)	R3
		20.40	Ukraine (O)	R3
191210 ^{*)}	environmental	1059.40	Austria (O)	R1
		2027.75	Germany (O)	R1
191212 ^{*)}	environmental	38702.37	Austria (O)	R1;R12
		819.38	Germany (O)	R1

Note: Based on the Treaty of Accession of the SR to the EU the wastes listed on Green Waste List of OECD are under control of the relevant national authority since 1st May 2004 (Articles 6,7,8 of the Waste Shipment Regulation)

*) wastes classified according to the national Waste Catalogue harmonised with EWC; it was not possible to identify them by OECD lists

Table 3

Information on exceptions to the implementation of the principle of proximity, priority for recovery and self-sufficiency (Article 4(3)(a)(ii) and (iii))

[illegible]

Table 4

Objections to planned shipments (Article 4(3)(b))

[illegible]

Table 5

Information on Decisions by competent authorities having jurisdiction over specific recovery facilities not to raise objections concerning shipments of certain types of waste to a specific recovery facility (Article 9(1) and 2))

Competent authority	Recovery facility				Waste types involved (code)	Period covered		Recovery (date)
	Name	Address	Operations leading to recovery R code	Technologies employed		From	To	

Table 6

Information on illegal traffic of waste (Article 26)

Waste types involved (code)	Amount (metric tonnes)	Country of import (I) / Country of origin (O)	Identification of the reason for illegality (please tick ✓ as appropriate)						Responsible for illegality (please tick ✓ as appropriate)			Measures taken including possible sanctions
			Article 26(1)(a)	Article 26(1)(b)	Article 26(1)(c)	Article 26(1)(d)	Article 26(1)(e)	Article 26(1)(f)	Notifier	Consignee	Other	
150106 ¹⁾	4607	SK (I)/ SLO (O)	✓	✓				✓	✓			500,000.- SKK - fine
AC030	32	CZ (I)/ SK (O)	✓	✓					✓			100,000.- SKK - fine

Note: 1) a waste code under the EWC

Table 7

Information on the customs posts designated by Member States for shipments of waste in and out of the Community

[illegible]