

Regulation (EC) No 1013/2006 of the European Parliament
and of the Council of 14 June 2006 on shipments of waste

TITLE II

SHIPMENTS ^{F1}... WITH OR WITHOUT TRANSIT THROUGH THIRD COUNTRIES

CHAPTER 1

Prior written notification and consent

Article 6

Financial guarantee

1 All shipments of waste for which notification is required shall be subject to the requirement of a financial guarantee or equivalent insurance covering:

- a costs of transport;
- b costs of recovery or disposal, including any necessary interim operation; and
- c costs of storage for 90 days.

2 The financial guarantee or equivalent insurance is intended to cover costs arising in the context of:

- a cases where a shipment or the recovery or disposal cannot be completed as intended, as referred to in Article 22; and
- b cases where a shipment or the recovery or disposal is illegal as referred to in Article 24.

3 The financial guarantee or equivalent insurance shall be established by the notifier or by another natural or legal person on its behalf and shall be effective at the time of the notification or, if the competent authority which approves the financial guarantee or equivalent insurance so allows, at the latest when the shipment starts, and shall apply to the notified shipment at the latest when the shipment starts.

4 The competent authority of dispatch shall approve the financial guarantee or equivalent insurance, including the form, wording and amount of the cover.

However, in cases of import [^{F1}from a country other than an EU country], the competent authority of destination ^{F2}... shall review the amount of cover and, if necessary, approve an additional financial guarantee or equivalent insurance.

5 The financial guarantee or equivalent insurance shall be valid for and cover a notified shipment and completion of recovery or disposal of the notified waste.

The financial guarantee or equivalent insurance shall be released when the competent authority concerned has received the certificate referred to in Article 16(e) or, where appropriate, in Article 15(e) as regards interim recovery or disposal operations.

6 By way of derogation from paragraph 5, if the waste shipped is destined for interim recovery or disposal operations and a further recovery or disposal operation takes place in the country of destination, the financial guarantee or equivalent insurance may be released

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Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, Article 6. (See end of Document for details)

when the waste leaves the interim facility and the competent authority concerned has received the certificate referred to in Article 15(d). In this case, any further shipment to a recovery or disposal facility shall be covered by a new financial guarantee or equivalent insurance unless the competent authority of destination is satisfied that such a financial guarantee or equivalent insurance is not required. In these circumstances, the competent authority of destination shall be responsible for obligations arising in the case of an illegal shipment or for take-back where the shipment or the further recovery or disposal operation cannot be completed as intended.

7 The competent authority^{F3}... which has approved the financial guarantee or equivalent insurance shall have access thereto and shall make use of the funding, including for the purpose of payments to other authorities concerned, in order to meet the obligations arising in accordance with Articles 23 and 25.

8 In the case of a general notification pursuant to Article 13, a financial guarantee or equivalent insurance covering parts of the general notification may be established, instead of one covering the entire general notification. In such cases, the financial guarantee or equivalent insurance shall apply to the shipment at the latest when the notified shipment it covers starts.

The financial guarantee or equivalent insurance shall be released when the competent authority concerned has received the certificate referred to in Article 16(e) or, where appropriate, in Article 15(e) as regards interim recovery or disposal operations for the relevant waste. Paragraph 6 shall apply *mutatis mutandis*.

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Textual Amendments	
F1	Words in Art. 6(4) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), 51(2)(a) ; 2020 c. 1, Sch. 5 para. 1(1)
F2	Words in Art. 6(4) omitted (31.12.2020) by virtue of The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), 51(2)(b) ; 2020 c. 1, Sch. 5 para. 1(1)
F3	Words in Art. 6(7) omitted (31.12.2020) by virtue of The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), 51(3) ; 2020 c. 1, Sch. 5 para. 1(1)
F4	Art. 6(9) omitted (31.12.2020) by virtue of The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), 51(4) ; 2020 c. 1, Sch. 5 para. 1(1)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, Article 6.