

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

TITLE II

**SHIPMENTS WITHIN THE COMMUNITY WITH OR  
WITHOUT TRANSIT THROUGH THIRD COUNTRIES**

CHAPTER 1

*Prior written notification and consent*

*Article 5*

**Contract**

- 1 All shipments of waste for which notification is required shall be subject to the requirement of the conclusion of a contract between the notifier and the consignee for the recovery or disposal of the notified waste.
- 2 The contract shall be concluded and effective at the time of notification and for the duration of the shipment until a certificate is issued in accordance with Article 15(e), Article 16(e) or, where appropriate, Article 15(d).
- 3 The contract shall include obligations:
  - a on the notifier to take the waste back if the shipment or the recovery or disposal has not been completed as intended or if it has been effected as an illegal shipment, in accordance with Article 22 and Article 24(2);
  - b on the consignee to recover or dispose of the waste if it has been effected as an illegal shipment, in accordance with Article 24(3); and
  - c on the facility to provide, in accordance with Article 16(e), a certificate that the waste has been recovered or disposed of, in accordance with the notification and the conditions specified therein and the requirements of this Regulation.
- 4 If the waste shipped is destined for interim recovery or disposal operations, the contract shall include the following additional obligations:
  - a the obligation on the facility of destination to provide, in accordance with Article 15(d) and, where appropriate, Article 15(e), the certificates that the waste has been recovered or disposed of in accordance with the notification and the conditions specified therein and the requirements of this Regulation; and
  - b the obligation on the consignee to submit, where applicable, a notification to the initial competent authority of the initial country of dispatch in accordance with Article 15(f) (ii).
- 5 If the waste is shipped between two establishments under the control of the same legal entity, the contract may be replaced by a declaration by the entity in question undertaking to recover or dispose of the notified waste.