

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

TITLE VII

OTHER PROVISIONS

CHAPTER 2

Other provisions

Article 57

Meeting of the correspondents

The Commission shall, if requested by Member States or if otherwise appropriate, periodically hold a meeting of the correspondents to examine the questions raised by the implementation of this Regulation. Relevant stakeholders shall be invited to such meetings, or parts of meetings, where all Member States and the Commission are in agreement that this is appropriate.

Article 58

Amendment of Annexes

1 The Annexes may be amended by the Commission by means of Regulations and in accordance with the procedure referred to in Article 18(3) of Directive 2006/12/EC, to take account of scientific and technical progress. In addition:

- a Annexes I, II, III, IIIA, IV and V shall be amended to take account of changes agreed under the Basel Convention and the OECD Decision; in addition, Annex IC on specific instructions for completing the notification and movement documents shall be completed at the latest by the date of application of this Regulation having regard to the OECD instructions;
- b unclassified wastes may be added to Annex IIIB, IV or V on a provisional basis pending a decision on their inclusion in the relevant Annexes to the Basel Convention or to the OECD Decision;
- c following the submission of a request by a Member State, mixtures of two or more wastes listed in Annex III may be considered for inclusion in Annex IIIA in the cases referred to in Article 3(2) on a provisional basis pending a decision on their inclusion in the relevant Annexes to the Basel Convention or to the OECD Decision. The initial entries to be included in Annex IIIA shall be inserted, if practicable, by the date of application of this Regulation and at the latest six months after that date. Annex IIIA may contain the proviso that one or more of the entries therein shall not apply for exports to countries to which the OECD Decision does not apply;
- d the exceptional cases referred to in Article 3(3) shall be determined and, where necessary, such waste shall be added to Annexes IVA and V and deleted from Annex III;
- e Annex V shall be amended to reflect agreed changes to the list of hazardous waste adopted in accordance with Article 1(4) of Directive 91/689/EEC;

Status: Point in time view as at 16/07/2008.

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, CHAPTER 2. (See end of Document for details)

f Annex VIII shall be amended to reflect relevant international conventions and agreements.

2 When amending Annex IX, the Committee established by Council Directive 91/692/EEC of 23 December 1991 standardising and rationalising reports on the implementation of certain Directives relating to the environment⁽¹⁾ shall be fully associated with the deliberations.

3 The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

Article 59

Additional measures

1 The Commission may adopt additional measures related to the implementation of this Regulation as follows:

- a a method for calculating the financial guarantee or equivalent insurance as set out in Article 6;
- b guidelines for the application of Article 12(1)(g);
- c further conditions and requirements in relation to pre-consented recovery facilities as referred to in Article 14;
- d guidelines on the application of Article 15 in relation to the identification and tracking of waste undergoing substantial changes in the interim recovery or disposal operation;
- e guidelines for the cooperation of competent authorities with regard to illegal shipments as referred to in Article 24;
- f technical and organisational requirements for the practical implementation of electronic data interchange for the submission of documents and information in accordance with Article 26(4);
- g further guidance concerning the use of languages referred to in Article 27;
- h further clarification of the procedural requirements of Title II as regards their application to exports, imports and transit of waste from, to, and through the Community;
- i further guidance concerning undefined legal terms.

2 Such measures shall be decided in accordance with the procedure referred to in Article 18(3) of Directive 2006/12/EC.

3 The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

Article 60

Review

1 By 15 July 2006, the Commission shall complete its review of the relationship between existing sectoral legislation on animal and public health, including shipments of waste covered by Regulation (EC) No 1774/2002, and the provisions of this Regulation. If necessary, this review shall be accompanied by appropriate proposals with a view to achieving an equivalent level of procedures and control regime for the shipment of such waste.

2 Within five years from 12 July 2007, the Commission shall review the implementation of Article 12(1)(c), including its effect on environment protection and the functioning of the

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internal market. If necessary, this review shall be accompanied by appropriate proposals to amend this provision.

Article 61

Repeals

- 1 Regulation (EEC) No 259/93 and Decision 94/774/EC are hereby repealed with effect from 12 July 2007.
- 2 References made to the repealed Regulation (EEC) No 259/93 shall be construed as being made to this Regulation.
- 3 Decision 1999/412/EC is hereby repealed with effect from 1 January 2008.

Article 62

Transition rules

- 1 Any shipment that has been notified and for which the competent authority of destination has given acknowledgement before 12 July 2007 shall be subject to the provisions of Regulation (EEC) No 259/93.
- 2 Any shipment for which the competent authorities concerned have given their consent pursuant to Regulation (EEC) No 259/93 shall be completed not later than one year from 12 July 2007.
- 3 Reporting pursuant to Article 41(2) of Regulation (EEC) No 259/93 and Article 51 of this Regulation for the year 2007 shall be based on the questionnaire contained in Decision 1999/412/EC.

Article 63

Transitional arrangements for certain Member States

- 1 Until 31 December 2010, all shipments to Latvia of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes shall be subject to the procedure of prior written notification and consent in accordance with Title II.

By way of derogation from Article 12, the competent authorities shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC during the period in which the temporary derogation is applied to the facility of destination.

- 2 Until 31 December 2012, all shipments to Poland of waste for recovery listed in Annex III shall be subject to the procedure of prior written notification and consent in accordance with Title II.

By way of derogation from Article 12, until 31 December 2007, the competent authorities may raise objections to shipments to Poland for recovery of the following waste listed in Annexes III and IV in conformity with the grounds for objection laid down in Article 11:

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B2020 and GE020 (glass waste)

B2070

B2080

B2100

B2120

B3010 and GH013 (solid plastic waste)

B3020 (paper waste)

B3140 (waste pneumatic tyres)

Y46

Y47

A1010 and A1030 (only the indents referring to arsenic and mercury)

A1060

A1140

A2010

A2020

A2030

A2040

A3030

A3040

A3070

A3120

A3130

A3160

A3170

A3180 (applies only in respect of polychlorinated naphthalenes (PCN))

A4010

A4050

A4060

A4070

A4090

AB030

AB070

AB120

AB130

AB150

AC060

AC070

AC080

AC150

AC160

AC260

AD150

With the exception of glass waste, paper waste and waste pneumatic tyres, this period may be extended until no later than 31 December 2012 in accordance with the procedure referred to in Article 18(3) of Directive 2006/12/EC.

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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, CHAPTER 2. (See end of Document for details)

By way of derogation from Article 12, until 31 December 2012, the competent authorities may raise objections in conformity with the grounds for objection laid down in Article 11 to shipments to Poland of:

- (a) the following waste for recovery listed in Annex IV:
- A2050
 - A3030
 - A3180, except polychlorinated naphthalenes (PCN)
 - A3190
 - A4110
 - A4120
 - RB020
- and of
- (b) waste for recovery not listed in the Annexes.

By way of derogation from Article 12, competent authorities shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC during the period in which the temporary derogation is applied to the facility of destination.

3 Until 31 December 2011, all shipments to Slovakia of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes shall be subject to the procedure of prior written notification and consent in accordance with Title II.

By way of derogation from Article 12, the competent authorities shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directives 94/67/EC⁽²⁾ and 96/61/EC, Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste⁽³⁾, and Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants⁽⁴⁾ during the period in which the temporary derogation is applied to the facility of destination.

4 Until 31 December 2014, all shipments to Bulgaria of waste for recovery listed in Annex III shall be subject to the procedure of prior written notification and consent in accordance with Title II.

By way of derogation from Article 12, until 31 December 2009, the Bulgarian competent authorities may raise objections to shipments to Bulgaria for recovery of the following waste listed in Annexes III and IV in conformity with the grounds for objection laid down in Article 11:

- B2070
- B2080
- B2100
- B2120
- Y46
- Y47
- A1010 and A1030 (only the indents referring to arsenic and mercury)
- A1060

Status: Point in time view as at 16/07/2008.

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, CHAPTER 2. (See end of Document for details)

A1140
A2010
A2020
A2030
A2040
A3030
A3040
A3070
A3120
A3130
A3160
A3170
A3180 (applies only in respect of polychlorinated naphthalenes (PCN))
A4010
A4050
A4060
A4070
A4090
AB030
AB070
AB120
AB130
AB150
AC060
AC070
AC080
AC150
AC160
AC260
AD150

This period may be extended until no later than 31 December 2012 in accordance with the procedure referred to in Article 18(3) of Directive 2006/12/EC.

By way of derogation from Article 12, until 31 December 2009, the Bulgarian competent authorities may raise objections in conformity with the grounds for objection laid down in Article 11 to shipments to Bulgaria of:

- a the following waste for recovery listed in Annex IV:
 - A2050
 - A3030
 - A3180, except polychlorinated naphthalenes (PCN)
 - A3190
 - A4110
 - A4120
 - RB020

and of

- b waste for recovery not listed in those Annexes.

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By way of derogation from Article 12, the Bulgarian competent authorities shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC or Directive 2001/80/EC during the period in which the temporary derogation is applied to the facility of destination.

5 Until 31 December 2015, all shipments to Romania of waste for recovery listed in Annex III shall be subject to the procedure of prior written notification and consent in accordance with Title II.

By way of derogation from Article 12, until 31 December 2011, the Romanian competent authorities may raise objections to shipments to Romania for recovery of the following waste listed in Annexes III and IV in conformity with the grounds for objection laid down in Article 11:

B2070

B2100, except waste alumina

B2120

B4030

Y46

Y47

A1010 and A1030 (only the indents referring to arsenic, mercury and thallium)

A1060

A1140

A2010

A2020

A2030

A3030

A3040

A3050

A3060

A3070

A3120

A3130

A3140

A3150

A3160

A3170

A3180 (applies only in respect of polychlorinated naphthalenes (PCN))

A4010

A4030

A4040

A4050

A4080

A4090

A4100

A4160

AA060

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AB030
AB120
AC060
AC070
AC080
AC150
AC160
AC260
AC270
AD120
AD150

This period may be extended until no later than 31 December 2015 in accordance with the procedure referred to in Article 18(3) of Directive 2006/12/EC.

By way of derogation from Article 12, until 31 December 2011, the Romanian competent authorities may raise objections in conformity with the grounds for objection laid down in Article 11 to shipments to Romania of:

a the following waste for recovery listed in Annex IV:

A2050
A3030
A3180, except polychlorinated naphthalenes (PCN)
A3190
A4110
A4120
RB020

and of

b waste for recovery not listed in those Annexes.

This period may be extended until no later than 31 December 2015 in accordance with the procedure referred to in Article 18(3) of Directive 2006/12/EC.

By way of derogation from Article 12, the Romanian competent authorities shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC, Directive 2000/76/EC or Directive 2001/80/EC during the period in which the temporary derogation is applied to the facility of destination.

6 When reference is made in this Article to Title II in relation to waste listed in Annex III, Article 3(2), Article 4, second subparagraph, point 5, and Articles 6, 11, 22, 23, 24, 25 and 31 shall not apply.

Article 64

Entry into force and application

1 This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 12 July 2007.

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2 Should the date of accession of Bulgaria or Romania be later than the date of application specified in paragraph 1, Article 63(4) and (5) shall, by way of derogation from paragraph 1 of this Article, apply from the date of accession.

3 Subject to the agreement of the Member States concerned, Article 26(4) may be applied before 12 July 2007.

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- (1) [OJ L 377, 31.12.1991, p. 48](#). Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council ([OJ L 284, 31.10.2003, p. 1](#)).
- (2) [OJ L 365, 31.12.1994, p. 34](#).
- (3) [OJ L 332, 28.12.2000, p. 91](#).
- (4) [OJ L 309, 27.11.2001, p. 1](#). Directive as amended by the 2003 Act of Accession.

Status:

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Changes to legislation:

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