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### 3e Restrictions on Imports for IV B

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#### All Regions/Countries, Parties of the Basel Convention

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#### UN Region: Africa

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##### Burkina Faso

**2008** Burkina Faso has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks** According to article 39 of the Law 005/97/ADP establishing the Environmental Code for Burkina Faso, any activity regarding the transit, import, purchase, sale, transport, treatment, deposit or storage of hazardous wastes is prohibited in Burkina Faso.

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##### Egypt

**2008** Egypt restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Importation of HW and other wastes for recovery is prohibited in accordance to Egyptian Environmental Law No. 4/1994 and its Executive Regulations.

**Countries** All countries/regions and all types of hazardous wastes and other wastes.

**Remarks** Importation of hazardous waste and other waste to Egypt and it's national Territories for any purposes is considered as criminal under the Egyptian regulations.

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##### Madagascar

**2008** Madagascar has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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##### Nigeria

**2008** Nigeria restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Degree No. 42 of 1988

**Countries** Covers all countries

**Remarks** Recyclable wastes can only be imported with approved permit given by the Federal Ministry of Environment.

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##### Senegal

**2008** Senegal restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Environment Code (Law 200-01 of 15 January 2001), which entered into force in 2001.

**Countries** All hazardous wastes and all countries.

**Remarks**

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##### Tanzania (United Republic of)

**2008** Tanzania (United Republic of) restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** According to the Environmental Management Act, 2004 of Tanzania, Provision 133(1) of this Act, it states that 'It shall be an offence to import into or export from Tanzania, hazardous waste without a permit granted by the Minister. Furthermore article 135 (1) It states that 'The Minister shall ensure that any movement of hazardous waste within and through Tanzania shall be conducted in a manner that prevents or minimizes adverse effects to human health and the environment and shall conform to the movement procedures as may be prescribed in the Regulations. Provision 136 (2) of this Act request an EIA to be carried out before hazardous waste is disposed of into soil, land, air or body of water. The President of United Republic of Tanzania signed this Environment Management Act of 2004 in early February 2005. This legislation is operational since 1st July 2005.

**Countries** All countries worldwide.

**Remarks** No import is allowed according to the Bamako Convention, to which Tanzania is a Party.

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## **Tunisia**

**2008** Tunisia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996) as amended and complemented by law n° 2001-14 dated 30 January 2001 which make distinction between hazardous waste management requiring authorization and management of non hazardous wastes requiring "Terms and Conditions" document, the import of hazardous wastes, as defined by national legislation (Tunisian list of hazardous waste available on request), for final disposal and for recovery, is strictly prohibited.

By law n°96-41, categories of waste, other than those defined as hazardous by national legislation, requiring specific control when imported, can be specified by decree.

Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

**Countries** All countries are covered by this restriction.

**Remarks**

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## **Uganda**

**2008** Uganda restricts the import of hazardous wastes and other wastes for recovery.

**Legislation**  The National Environment Statute, 1995  
 The National Environment (Waste Management) Regulations, 1999

**Countries** Restriction to all countries in the world covering all categories of waste.

**Remarks** No import of hazardous wastes and other wastes is allowed in the country for recovery without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

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**UN Region:** *Asia and Pacific*

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## **Azerbaijan**

**2008** Azerbaijan restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** According to the Law on industrial and municipal wastes dated on 30 June 1998 the wastes which are not subject to their recovery could not be imported.

**Countries**

**Remarks**

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**Bahrain**

**2008** Bahrain is in a preparatory process to restrict the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Brunei Darussalam**

**2008** Brunei Darussalam is in a preparatory process to restrict the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks** This subject matter will be covered in the Draft Pollution Control Order of Negara Brunei Darussalam.

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**China**

**2008** China restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** China

Decision on Several issues on Environmental Protection (State Council, No 31, 1996) prohibits the import of hazardous waste and Municipal Solid Waste from abroad.

Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996, which is under amendment; and the Environmental Protection Control Standards for Imported Waste Material, entry into force in 2006.

According to Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005, import of solid waste which can not be used as a raw material or can not be used in an environmentally sound manner is prohibited. Up to now, wastes listed in the " Catalogue of Automatic-Licensing Import Solid Wastes that Can Be Used as Raw Materials in China" and the " Catalogue of Restricted Import Solid Wastes that Can Be Used as Raw Materials in China" are permitted to be imported(Annex-2). Solid wastes which are not included in either of the above two Catalogues are forbidden to be imported.

Announcement 11, 2008, promulgated by State Environmental Protection Administration, Ministry of Commerce of the People's Republic of China, National Development and Reform Commission, General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China on January 29, 2008.

In Announcement 11, 2008, it was stipulated that those belong to any one of the following actions shall be managed in accordance with Forbidden Import Solid Wastes in China:

- (1) The goods prohibited to be imported in China have lost the original value in use, or not lost the value in use but been discarded or abandoned, or been considered as solid wastes for other reasons.
- (2) Those have been recognized as hazardous wastes and other wastes (Waste collected from household) in accordance with "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal", as well as those have been listed in National Catalogue of Hazardous Waste or been considered as hazardous wastes under Identification Standard for Hazardous Wastes.

Hong Kong Special Administrative Region, China

With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into HKSAR or through HKSAR to other states has been prohibited. The Waste Disposal Ordinance was amended in 2006 on this control and has been in effect since 7 April 2006.

**Countries**

**Remarks**

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the import of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure on control of import of hazardous waste.

Macao Special Administrative Region, China

The import of waste for the purpose of recovery will be subject to the controls

according to the Basel Convention requirements.

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## **Cyprus**

**2008** Cyprus restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

### **Countries**

**Remarks** Cyprus follows all the provisions of the Basel convention regarding the import of hazardous wastes and other wastes. As far as the import of wastes for purposes other than disposal (e.g. recycling, recovery) is concerned, these are examined on a case-by-case basis. Permits are issued only for “green wastes”.

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## **Japan**

**2008** Japan restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Waste Management Law, Basel Law, and OECD Council Decision C(2001)107 (in the case of transboundary movement with OECD member countries).

**Countries** All countries and regions.

**Remarks** Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for recovery.

Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the METI of the result of its examination. METI is not able to issue import permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

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## **Malaysia**

**2008** Malaysia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Environmental Quality Act 1974, (Amendment 2005) Section 34B; and the Customs (Prohibition of Export) Order 1998 Amendment 2008.

**Countries** The restriction covers all countries.

**Remarks** Import of hazardous wastes for recovery requires written approval from Director General of Environmental Quality.

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## **Qatar**

**2008** Qatar restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Environment Protection Law No.30 of 2002 and The Rules on the Transboundary Movement of Hazardous Wastes, 1997 of the State of Qatar. The Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution, 1978.

### **Countries**

The restriction covers Qatar and the signatory states.

### **Remarks**

According to the article No. 24 of the law No.30 of 2002, and to section 3 of the Rules, the import of hazardous wastes and other wastes into the national territory is prohibited.

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## **Republic of Korea**

**2008** Republic of Korea restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.

**Countries** There is no restriction on the country or region of origin regarding the import of hazardous wastes, but the MOE has the authority to ban or limit the import of specific wastes if and when considered necessary.

**Remarks** According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous waste is strictly prohibited unless prior written approval is obtained from the competent authority. Also, the MOE has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when being considered to be necessary.

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### **Singapore**

**2008** Singapore restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA), which entered into force in May 1998.

**Countries**

**Remarks** The import of hazardous wastes for recovery is granted on a case-by-case basis. The importer needs to obtain a Basel import permit from Pollution Control Department prior to the import.

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### **Sri Lanka**

**2008** Sri Lanka restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Sri Lanka has taken a Cabinet decision to prohibit the importation of hazardous wastes given in List A. Wastes given in List B will be considered on a case by case basis. Legislatures have been prepared for this purpose.

**Countries** The Cabinet decision was to prohibit import of hazardous waste from all countries (not restricting to annex VII countries).

**Remarks**

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### **Thailand**

**2008** Thailand restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall follow the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In case of import of hazardous wastes and used electrical and electronic equipments, the importer/consignee/factory shall follow procedures under the Notification of the Department of Industrial Works on the Criteria for the approval of the import of chemical wastes into the Kingdom of Thailand, issued on 14 May B.E. 2539 (1996) and the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003).

In addition, for the import of plastic wastes for the purpose of recovery in the Kingdom, the importer/consignee/factory shall follow procedures under the Notification of Ministry of Commerce on the Import of Goods No.112 B.E.2539 (1996) and the Notification of Ministry of Industry on the criteria for the approval of the import of the scarp and used material which is made of used plastic and unused plastic B.E. 2539 (1996). For other hazardous wastes, since, Thailand has a specific law for the purpose of the industrial hazardous waste management within the country, namely the Notification of Ministry of Industry B.E. 2548 (2005) on Disposal of Wastes or Unusable Materials. Therefore, if any wastes listed in the Notification have imported for recovery within the Kingdom, the importer/consignee/factory shall manage such wastes pursuant to the criteria of the Notification.

**Countries** The restriction covers all countries; wastes listed in the Basel Convention; plastic wastes; and wastes listed in the Notification of Ministry of Industry B.E. 2548 (2005) on Disposal of Wastes or Unusable Materials.

**Remarks**

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**United Arab Emirates**

**2008** United Arab Emirates restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Federal Law No. (24) Of 1999 for the protection and development of the environment Article 62  
No public or private party or qualified or unqualified persons are allowed to import or bring, bury or dispose of hazardous wastes in any form in the environment of the State.

**Countries** The restriction covers all countries and regions.

**Remarks**

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**Yemen**

**2008** Yemen restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** ENVIRONMENT PROTECTION LAW No. (26) Of 1995 Republic of Yemen: Article (54): It is prohibited for vessels or aircraft or any other means to enter the territorial waters or to land at airports or to use the Yemeni territory as a transit passage if they carry radioactive, toxic or hazardous wastes, except that to be in accordance with the international conventions and agreements and with prior permission from the cabinet and approval from the parliament.

**Countries** All Hazardous Wastes, all countries/regions.

**Remarks** Does not allow the import of hazardous wastes from outside the Republic of Yemen.

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**Andorra**

**2008** Andorra restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

**Countries**

**Remarks**

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**Australia**

**2008** Australia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989.  
Entry into force: 12 December 1996.

**Countries** The restriction covers all countries and regions and all hazardous wastes.

**Remarks**

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**Austria**

**2008** Austria restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** EU Regulation 1013/2006/EC.

**Countries** Imports of hazardous wastes are allowed only from Countries party to the Basel Convention or Countries applying the OECD Decision C(2001)179 FINAL. Additionally import from non parties is allowed only on basis of a bilateral agreement in accordance with article 11 of the Basel Convention.  
No such agreement beside the OECD-Decision/EU Shipment Regulation is in force in Austria.

**Remarks**

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**Belgium**

**2008** Belgium restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EC) N° 1013/2006, Art. 43. The restriction covers non-OECD countries and non-Parties to the Basel Convention.

**Countries**

**Remarks**

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**Canada**



**2008** Canada restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** In Canada, the following legislation applies restrictions on the import of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999).

The following legislation applies restrictions on the import of hazardous recyclable materials only:

Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR).

**Countries** Canada's restrictions on import for recovery does not permit imports from non-parties to the Basel Convention, unless subject to an Article 11 agreement.

**Remarks** Canada meets its international obligations through the legislation listed in 3(e)(i) above. The conditions listed above in 3(d)(iii) for imports for final disposal apply, and in addition to that: the importer is the recycler of the hazardous recyclable material in Canada. The conditions of the Canada - USA Agreement also applies to imports for recovery set out under "Export for IV B".

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## Denmark

**2008** Denmark restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Article 43 in EU Regulation 1013/2006 of June 14 2006 prohibits import except from an OECD Decision country or a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war.

**Countries**

**Remarks**

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## Finland

**2008** Finland has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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## Germany

**2008** Germany restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** In Germany the provisions of the Waste Shipment Regulation apply since May 1994, especially referring to Article 43.

**Countries** The import of hazardous wastes for recovery from non-Parties of the Basel Convention, except from OECD-countries or countries with which bilateral agreements exist, is prohibited.

**Remarks**

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## Greece

**2008** Greece restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

**Countries**

**Remarks** Limited amounts of used oil and dry lead (car) batteries are imported for recovery/recycling purposes.

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## Ireland

**2008** Ireland restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** In accordance with Article 43 of Council Regulation (EC) No. 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community, the importation of waste for recovery is prohibited except from an OECD Decision country (Decision C(2001) 1007/Final) or a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war.(

**Countries**

**Remarks**

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**Israel**

**2008** Israel restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Hazardous Substances Regulations (Export and Import of Hazardous Waste), 1994. These regulations call for a permit to import waste for recovery. The permit may specify requirements and restrictions.

**Countries** A permit could be issued for the import of wastes for recovery operations to any party to the convention.

**Remarks** The importer must receive a special permit certificate and the Ministry of the Environment ensures that the recovery is carried out in an environmentally sound manner.

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**Italy**

**2008** Italy restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Regulation EC 1013/2006 applied from 12 July 2007.

**Countries** The restriction covers hazardous wastes as per EC1013/2006 from non-OECD countries, from countries that did not ratify the Basel Convention or that do not have bilateral agreement with Italy or EU.

**Remarks**

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**Luxembourg**

**2008** Luxembourg restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** An import authorization is required by the modified Waste Management Law of 17th June 1994. Since December 2006 that import restriction has been abolished. The notification procedures for waste transports remain applicable however.

**Countries** The restriction is for all countries and all kinds of wastes.

**Remarks**

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**Malta**

**2008** Malta restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), which entered into force on 17 September 2000.

**Countries** All countries / regions and all waste covered by the above-mentioned Regulations are covered by this restriction.

**Remarks** As per Provision 8 to the Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), the Competent Authority may take any action whatsoever in order to ban, restrict and control the management, transit, export and import of hazardous waste or other waste.

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**Netherlands**

**2008** Netherlands restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Since 12 July 2007 Regulation (EC) 1013/2006.

**Countries**

**Remarks**

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#### **New Zealand**

**2008** New Zealand restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Imports and Exports (Restrictions) Prohibition Order (No 2) 2004

**Countries** As per Basel Convention/OECD requirements.

**Remarks** The Waigani Convention came into force on 21 October 2001, which allows New Zealand to consent to imports of hazardous wastes from Parties to the Waigani Convention.

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#### **Portugal**

**2008** Portugal restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and the Council entered into to force in 12 July 2007.

**Countries** It is prohibited to import wastes for recovery from non-Parties to the Basel Convention, except from OECD countries and countries which bilateral agreements exist.

**Remarks**

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#### **Spain**

**2008** Spain restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Article 17 of Act 10/98 on Wastes, which entered into force on 22.04.98., allows competent authorities in Spain to restrict the import of wastes for recovery (Annex IV B).

**Countries** The restriction might be applying to all countries and all wastes.

**Remarks**

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#### **Sweden**

**2008** Sweden restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Swedish Ordinance on Transboundary Movements of Waste (SFS 2007:383).

**Countries** Import of wastes is accepted only if the receiving plant has all relevant permits to treat the waste.

**Remarks**

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#### **United Kingdom of Great**

#### **Britain and Northern**

#### **Ireland**

**2008** United Kingdom of Great Britain and Northern Ireland has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**UN Region:** *Central and Eastern Europe*

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#### **Bosnia & Herzegovina**

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**2008** Bosnia & Herzegovina restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law on waste management, which entered into force on 19 July 2003.

**Countries** The restriction applies to all countries and all wastes.

**Remarks** The import of hazardous waste is prohibited. No capacity within the country for recycling, recovery or reuse of hazardous waste.

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## **Bulgaria**

**2008** Bulgaria restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** - Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste in force since July 13, 2007  
- Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003)

**Countries** Imports of hazardous wastes are allowed only from Countries party to the Basel Convention or Countries applying the OECD Decision C(2001)179 FINAL in accordance with Title V of Regulation (EC) No 1013/2006.

All shipments of waste to Bulgaria are to be notified until December 31, 2014 in accordance with Art. 63 of the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste in force since July 13, 2007.

The MOEW may raise objections to shipments to Bulgaria for recovery of the waste listed in Art.63 of the Regulation (EC) No 1013/2006 in conformity of the grounds of objections laid down in Art.11 of this Regulation (objections to shipments destined for disposal).

In accordance with Waste Management Act the import in the country shall be prohibited for waste:

1. with unclear chemical composition as well as such for which there are no methods for analysis, applicable in the Republic of Bulgaria;
2. with objective storage, depositing or whatever other form of disposing;
3. in case the person – operator of the installation, where is provided to be implemented the utilisation, does not have the respective permission of art. 37 or complex permission, issued by the order of chapter seven, section II of the Law of preservation of environment;
4. comprised by the materials, for which the objectives for the previous year have not been achieved, regulated in § 9 of the transitional and concluding provisions and the by-law normative acts for the implementation of this law, and of pneumatic tyres in the cases when during the previous calendar year the operator of item 3 has utilised smaller quantity of waste from Bulgarian origin in comparison with the quantity of imported waste for utilisation in the same installation;
5. for which has been introduced prohibition for depositing if during the previous calendar year the operator of item 3 has utilised smaller quantity waste from Bulgarian origin in comparison with the quantity of imported waste for utilisation in the same installation.

**Remarks**

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## **Croatia**

2008

Croatia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation**

Regulation on supervision of transboundary movement of waste, OG No 69/06 which came into force on 1st September 2006, regulates restrictions on transboundary movement of waste.

Special requirements for the import of hazardous wastes and other wastes are prescribed by Articles 47., 48. and 49. of the Waste Act, Official Gazette, No. 178/04, 111/06, 80/06 as follows:

Article 47

- (1) Import of hazardous waste shall be prohibited.
- (2) Import of waste for the purpose of landfilling and use for energy purposes shall be prohibited.
- (3) Import of non-hazardous waste that can be recovered in accordance with this Act shall be permitted.
- (4) Supervision of the transboundary transport of waste, the method and procedure of border control at the borders and border crossings as well as the authorities of environmental protection inspectors shall be prescribed by a special regulation passed by the Croatian Government.

Article 48

(1) For the import of non-hazardous waste referred to in Article 47 paragraph 3 of this Act, the person importing the waste must obtain the decision prescribed by this Act.

(2) Import as referred to in paragraph 1 of this Article shall be permitted to the person registered for import activities (hereinafter referred to as: the importer) at the person's request, if the following requirements are met:

- 1.a contract is concluded between the waste importer and the person exporting waste,
- 2.a contract is concluded between the waste importer and the person who is performing recovery and/or disposal of waste,
- 3.the waste importer has a statement from the person exporting waste on the type, quantity, composition and origin of waste, as well as on the technology through which it was generated, and on the reasons for its export,
- 4.the waste importer has evidence that the person responsible for the recovery and/or disposal of waste has an available technological plant for treating waste which does not present any hazard to the environment (possesses a licence in accordance with Article 41 paragraph 1 of this Act).
- 5.the waste importer encloses a statement from the person responsible for the recovery and/or treatment of the imported waste on the type of waste that is to be produced by means of treatment or recovery of the imported waste and on the method of its disposal,
- 6.data is provided on the waste tariff number , the waste key number , the mode of transport and the border crossing for import.

Article 49

(1) Request for the import of waste referred to in Article 47 paragraph 3 of this Act shall be submitted for the import of waste for a period of one year.

(2) The Ministry shall decide on the request referred to in paragraph 1 of this Article. The decision shall also determine the time period for which the decision is valid.

(3) The importer shall submit to the Ministry a report on imported amounts and types of waste by 1 February of the current year for the previous year.

(4) An appeal shall not be permitted against the decision referred to in paragraph 2 of this Article, but an administrative dispute may be instituted.

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**Countries** All country.

**Remarks**

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### **Czech Republic**

**2008** Czech Republic restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (applicable from 12 July 2007).

**Countries** All imports of hazardous waste for recovery are prohibited except those from EU and OECD countries, other countries which are Parties to the Basel Convention and other countries with which bilateral or multilateral agreements or arrangements in accordance with Article 11 of the Basel Convention have been concluded as well as from other areas in cases where, on exceptional grounds during situations of crisis, peacemaking, peacekeeping or war, no bilateral agreements or arrangements can be concluded or where a competent authority in the country of dispatch has either not been designated or is unable to act.

**Remarks**

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### **Estonia**

**2008** Estonia has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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### **Georgia**

**2008** Georgia restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).  
Statute of the Government of Georgia “Permit issue rules for production, transportation, import, export re-export and transit and list of restricted materials” (28.09.2006)- postponed till 1.07.2011

**Countries** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).  
Article 2.Type of Wastes, those transit and import is restricted.  
Restriction applies to all countries.

1. It is restricted to transit and import any kind of waste all over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones), if the present law does not contradict it; and

2. All over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones) is restricted:  
a) transit and import of dangerous waste (among them toxic) and radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted (including established disposal operations of Annex IV of the Basel Convention).

b) import of non – dangerous (among them non toxic) and non – radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted which is envisaged in Section A of Annex IV on (Waste Disposal Operations) of "Basel Convention."

**Remarks** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).  
Article 3 Type of Wastes, those transit and import is permitted.

Import of non-hazardous, (among them non toxic) and non- radioactive waste all over the territory of Georgia (including its territorial waters, air space, continental shelves, and economically mostly important zones)is permitted only for the purposes of their further recovering , re-exporting or other kind of operations envisaged in "Section B" contained in Annex IV (Disposal operations) of Basel Convention. Those waste are:

Scrub of ferrous and non-ferrous metals, all type of paper waste, plastics (in case the availability of their recovery in Georgia), waste from textile, pulp processing (sawdust, shaving) and glass. These wastes according to defined waste categories of the "Green list of wastes" developed by the European counsel regulation # 259/93 of 1993, belong to:

- a) Category "GA" (Wastes in non-dispersible form, contained of metal and their alloys; wastes in the form of dust, powder or slag, also subjects containing hazardous wastes in liquid form does not belong to waste in non- dispersible form);
- b) Category "GH" (solid plastic wastes);
- c) Category "GI" (papers paperboard and paper product wastes);
- d) Category "GJ" (textile wastes);
- e) "GN010/ex 050200" of category "GN";
- f) Category "GL"(untreated cork and wood wastes); and
- h) Category "GE" (glass waste in non-dispersible form).

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## Hungary



**2008** Hungary has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries** The waste import is restricted if processing/recycling capacity is lacking.

**Remarks** The permit from National Inspectorate for Environment and Water (KFF) is necessary for the import. The permit application shall be submitted by the importer to KFF with notification form.

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**Latvia**

**2008** Latvia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Waste Management Law, 01.03.2001.

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

**Countries** In accordance with Waste Management Law, it is permitted to import hazardous waste for recovery only if there are hazardous waste recovery facilities in operation in the territory of the Republic of Latvia, the owner of which has obtained a permit for the recovery of the relevant hazardous waste, and which have the necessary capacity.

In accordance with provisions of Article 63.(1) of the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste:

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. This restriction applies to EU.

**Remarks**

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**Poland**



- 2008** Poland restricts the import of hazardous wastes and other wastes for recovery.
- Legislation** Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipment of waste which became applicable since 12.07.2007.
- Countries** The restriction covers all countries except for EU, OECD and Basel Convention countries.
- Remarks**
- Shipments within the EU:
    - Green listed waste (Annex III to the Regulation No. 1013/2006): no control procedure (shipments to Poland, Slovakia, Latvia, Bulgaria and Romania - art. 63 of Regulation No 1013/2006 - control procedure according to articles 3 - 12 of the Regulation No 1013/2006)
    - Amber listed waste (Annex IV to the Regulation No. 1013/2006) - control procedure stipulated in articles 3 - 12 of the Regulation No 1013/2006
    - Unlisted waste - control procedure stipulated in art. 3 - 12 of Regulation No. 1013/2006
    - (unlisted waste - waste for which no single entry exists in green and amber list of waste)
  
  - Shipments into the EU  
In general all imports of waste for recovery are prohibited except for OECD countries, Basel Convention countries and from countries which have an agreement signed with an EU country according to the procedures stipulated in art. 43 - 45 of Regulation No. 1013/2006.
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## **Republic of Moldova**

**2008** Republic of Moldova restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary stoke, deposit, processing, spreading on ground, water or their destruction. Customs authorities are obliged to control and to be responsible for applying of present article concerning import and transportation of waste and the residuals of any nature on the territory of the Republic of Moldova." A similar article is included in the range of other laws concerning wastes.

New amendments for the Environmental Protection Law, nr 1515 – XII from 16 June 1993. According to new amendment of the article 73, it is allowed to import the paper waste, mentioned in the annex, for utilization at the existing factory in the country. Therefore it is allowed to import paper waste for recovery. The following categories of paper are included in the annex to the Low on Environmental Protection:

Cod Name of the goods

4707- Waste and scrap of paper or paperboard

4707 10 000- of unbleached kraft paper or paperboard or corrugated paper or paperboard

4707 20 000- of other papers or paperboard, made mainly of bleached chemical pulp, not colored in the mass

4707 30- of papers or paperboard made mainly of mechanical pulp (for example, newspaper, journals and similar printed matter)

4707 30 100--obtained from old or unsold newspapers, magazines, phone books, and other newsprint.

#### **Countries**

**Remarks** It should be mentioned also that the same amendment was introduced in the article 20 of the Low on production and domestic waste, nr.1347-XIII from 9 October 1997.

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#### **Romania**

**2008** Romania restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** According to provisions lay down in the Emergency Ordinance no.195/2005 on Environmental Protection approved by the Law 265/2006, art. 32 (2) the import of waste for recovery shall be realized by respecting the specific legal acts approved by the Government, in compliance with the Romania's Accession Treaty.

#### **Countries**

**Remarks** Romania has obtained transition periods for the Shipment Regulation implementation:

1. Romania reconsiders its position presented in Position Paper CONF-RO 37/01 and requests a transition period until 31 December 2015, for all shipments of waste to Romania for recovery listed in Annex III and shall be subject to the procedure of prior written notification and consent in accordance with Title II of Regulation (EC) no. 1013/2006.

2. The Romanian competent authorities may raise objections for shipments to Romania, for recovery according to art.63, paragraph (5) of the Regulation (EC) no. 1013/2006.

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#### **Serbia**

**2008** Serbia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Serbia restricts the import of hazardous wastes and other wastes for recovery. The Regulation on Documentation to be Submitted with the Application for Issuing Permit for Import, Export and Transit of Wastes ("Off.Gazette FRY", No.69/99) The Rule on content of documentation which is necessary for request Import, Export and Transit Permit of Wastes ("Off. Gazette RS", No.60/2009).

The Law of Waste Management ("The Official Gazette of the Republic of Serbia" No. 36/09), Article 71. Condition and manner of transboundary movement of waste, 72. Import, export and transit of waste and Article 73. Prohibition of transboundary movement of waste.

**Countries** The restriction covers all countries.

**Remarks**

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## **Slovakia**

**2008** Slovakia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Since 12 July 2007 the imports of hazardous waste and other wastes for recovery is regulated by relevant articles of the Regulation (EC) No 1013/2006. Pursuant to Article 63 (3) of the Regulation (EC) No 1013/2006, by derogation from Article 12 of this Regulation, the competent authority of the Slovak Republic 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 and 96/61/EC, Directive 2000/80/EC of the European Parliament and of the Council and Directive 2001/80/EC of the European Parliament and of the Council during the period in which the temporary derogation is applied to the facility of destination.

This provision is applied to the following nine facilities:

Slovensky hodvab, corp., Senica until 31.12.2011

Istrochem, corp., Bratislava until 31.12.2011

NCHZ, corp., Novaky until 31.12.2011

SLZ Chemia, corp., Hnusta until 31.12.2011

Duslo, corp., Sala until 31.12.2010

ZOS Trnava, corp., Trnava until 31.12.2010

Bukocel, corp., Hencovce until 31.12.2009

U.S. Steel, corp., Kosice (coking plant) until 31.12.2010

Matador, corp., Puchov until 31.12.2011

**Countries** Imports prohibited except from an OECD Decision country or a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war (Article 43 and Article 63 (3) of the Regulation (EC) No 1013/2006).

**Remarks**

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## **Slovenia**

**2008** Slovenia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) 1013/2006, especially art. 43. Entry into force : July 2006.

Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - national legislation. Entry into force: August 2007

**Countries** According to Regulation (EC) 1013/2006 import of hazardous wastes from non-Parties of Basel Convention, except from OECD-countries or from countries with agreement in place or from other areas during situations of crisis or war, is prohibited.

According to national legislation - Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - competent authority will object to the shipments of wastes intended to R1 operation if the waste generated in Slovenia will have to go to disposal operations or their management will not be in accordance with national operation plans for management of wastes. It will object also to shipments intended to facilities without sufficient capacities. This is valid for all countries and regions.

**Remarks**

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**Ukraine**

**2008** Ukraine has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**UN Region:** *Latin America and the Caribbean*

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**Argentina**

**2008** Argentina restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Article 41 of the Argentine Constitution determines that the import of present or potentially hazardous wastes as well as radioactive (wastes) is forbidden.

Also, Argentina bans import or transit operations of wastes defined as hazardous according to the National Law 24.051. On the other hand, Executive Decree 181/1992 prohibits import or transit operations of wastes (listed in Annex I).

**Countries** This import and transit restriction covers all countries and embraces every waste listed in the National Legislation (Law 24.051, Executive Decree 181/92).

**Remarks** The legislation mentioned in 3e (i) is applicable in Argentina national territory and areas within national jurisdiction as defined by Argentinean law.

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**Barbados**

**2008** Barbados has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation** There is no significant legal authority to prevent the importation of hazardous waste. The Chief Parliamentary Council is in the process of preparing comprehensive environmental management legislation, which would incorporate Basel Convention issues. The restrictions are taken as those found in Article 4 (General Obligations) of the Basel Convention.

**Countries**

**Remarks**

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**Bolivia**

**2008** Bolivia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** En Bolivia restringen la importación de desechos peligrosos y de otros desechos que tienen las características del CRETIB, mismo que esta especificado en el Reglamento para Actividades con Sustancias Peligrosas de la ley 1333 del Medio Ambiente, en la cual se prohíbe y restringe la importación de desechos destinados a su eliminación final, por tanto queda terminantemente prohibido la importación, introducción y transito de desechos peligrosos por territorio nacional.

**Countries**

**Remarks**

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**Brazil**

**2008** Brazil restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** National Environmental Council (CONAMA) Resolutions Nr. 23 (December, 1996) and Nr. 235 (January 7, 1998). The legislation defines which wastes are forbidden from being imported and which are just controlled by IBAMA.

**Countries** All countries are subject to the restrictions imposed by the Resolution no 235/98 that lists wastes which are forbidden from being imported or controlled by IBAMA. In the first case, the wastes cannot be imported irrespectively of the country of origin, in the second case, the controlled wastes can only be imported from the countries which are party to the Basel Convention.

**Remarks**

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**Colombia**

**2008** Colombia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Article 81 of the Political Constitution of Colombia (dated 1991), forbids the introduction of toxic and nuclear wastes into national territory.

Law No. 1252 as of November 27, 2008, banned all imports of hazardous wastes to the country. Chapter I Article 4° prohibits the introduction, importation, trafficking of hazardous residues or wastes to the national territory, by any natural or public or private legal person.

Additionally, through National Decree No. 4741 of 2005, the import of residues or wastes containing Persistent Organic Pollutants (COP's: Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Hexachlorobenzene, Mirex, Toxaphene, Polychlorinated Biphenyls –PCBs-, DDT) had been specifically forbidden; as well as equipment or substances containing PCBs, in an amount equal or above to 50 mg/kg.

Resolution No. 1402 of July 2006, emitted by the Ministry of Environment, Housing and Territorial Development provides further dispositions to those set in decree 4741 of December 2005 regarding hazardous wastes.

**Countries** All countries, all regions.

**Remarks**

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**Cuba**

**2008** Cuba has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Ecuador**

**2008** Ecuador restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Executive Decision, Or. No. 970 of July 2, 1992; and Art. 90 of the Ecuadorian Republic Constitution, 1998.

**Countries** To National level.

**Remarks** The manufacture is prohibited IMPORT possession and use of chemical, biological and nuclear weapons, as well as the introduction al national territory of nuclear residues and toxic waste. The country will establish standards for the production, import, distribution and use of those substances that, despite their utility, they are toxic and dangerous for the people and environment

The State will establish norms for the production, IMPORTING.

The National Congress of the Ecuadorian Republic.

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**Guatemala**

**2008** Guatemala restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Article 7 of Decree 68-86, the Environment Protection and Improvement Act, refers to this point implicitly, as follows: "It is prohibited to introduce into the country, by any means, human or animal excrement, household or municipal garbage or its derivatives, sewage silt or sludge whether treated or untreated, or toxic wastes from industrial processes which contain substances that may infect, pollute and/or degrade the environment and endanger human life or health, including chemical mixtures and combinations, heavy metal residues, residues of radioactive materials, indeterminate acids and alkalis, bacteria, viruses, eggs, larvae, spores and funguses that may carry animal and plant diseases".

**Countries** Applicable to the entire country.

**Remarks**

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### **Guyana**

**2008** Guyana has no restrictions on the import of hazardous wastes and other wastes for recovery.

#### **Legislation**

#### **Countries**

#### **Remarks**

### **Honduras**

**2008** Honduras restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** - General Environmental Law- Ley General del Ambiente.  
- General Environmental Law Regulation-Reglamento de la Ley General del Ambiente  
- Health Code-Código de Salud

**Countries** All the countries of the world/All hazardous wastes.

#### **Remarks**

### **Jamaica**

**2008** Jamaica restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002

#### **Countries**

**Remarks** The importation of hazardous wastes for recovery or final disposal is prohibited.

### **Mexico**

**2008** Mexico restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes.

The Article 85 of the LGPGIR, establishes the follow condition, “The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings.

Additionally, the article 86 of the LGPGIR resolve that

“In the import of hazardous wastes the following dispositions will be due to observe:

- I.It will be only allowed with the purpose of reusing or recycle hazardous wastes,
- II.In no case the import of hazardous wastes will be authorized that are or are constituted by persistent organic compounds, and
- III.The Secretariat will be able to impose limitations to the import of remainders when disincentive or constitutes an obstacle for the reusability or recycling of the remainders generated in national territory.”

Also, in accordance with Article 50 of the LGPGIR determines that the following activities of hazardous wastes handling requires authorization of the Secretariat:

- I.The benefit of services of handling of hazardous wastes,
- II.The use of hazardous wastes in productive processes, in accordance with the arranged thing in Article 63 of the Law,
- III.... .
- IV.The accomplishment of anyone of the activities related to the handling of originating hazardous wastes of third part
- V.The incineration of hazardous wastes
- VI.The transport of hazardous wastes
- VII.... ,
- VIII.... ,
- IX.... ,
- X.... ,
- XI.The others that establish the Law and the Mexican Official Norms.

Because of this, the enterprises that import hazardous wastes have to sees authorized for by SEMARNAT recycling of then.

**Countries** The restriction covers all countries.

**Remarks**

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### **Saint Lucia**

**2008** Saint Lucia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Administrative measure taken by the SLSWMA.

**Countries** The restriction covers all countries and regions.

**Remarks**

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### **Uruguay**



**2008** Uruguay restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law n° 17.220 de 11 of November 1999. Law about Transboundary Movements of Hazardous Wastes and its modification by article 367 of Law n° 17. of 19th December 2005.

The law establishes that it is forbidden for any hazardous waste to enter the country.

**Countries**

**Remarks**

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