

---

**Question 2a. National Definition of waste****2006. Africa. (Parties which did not report are not listed).**

---

**Algeria:** Definition exists

Any residue of a process of transformation or using or in general any substance or product and any personal estate that the property or the holder wants to get rid of or eliminate.

**Botswana:** Definition exists

Waste; includes the following substances and any combination thereof which are discarded by any person or accumulated or stored by any person for the purpose of recycling: undesirable or superfluous by-products; residue or remainder of any process or activity; any gaseous, liquid or solid matter. Waste is also defined by place of origin or generation (household, industrial, mining waste etc). (Waste Management Act 1998).

**Cameroon:** Definition exists

Waste: Any residue from a production, processing or utilization process, any substance or material produced or, more generally, any movable and immovable goods abandoned or intended to be abandoned. The definition is from article 4 of the Law N° 96/12 of 5th August 1996 relating to Environmental Management in Cameroon.

**Gambia:** Definition in preparation

The Environmental Protection, Prevention of Dumping Act of 1988 which makes provisions for the prevention of dumping of industrial wastes, defines wastes as "Any form of industrial waste product or matter, whether known to be hazardous to human health or the natural environment". However, due to technical reasons related to its implementation this Act will be replaced upon enactment of the Waste Act referred below. The National Environment Management Act (NEMA) 1994 defines wastes as: "Waste includes any matter, whether liquid, solid, gaseous, or radioactive, which is discharged, emitted, or deposited in the environment in such volume, composition or manner likely to adversely affect the environment".

**Ghana:** Definition exists

Hazardous industrial waste means a solid, semi-solid, or liquid waste, or combination of waste that, because of quantity, concentration, or physical, chemical or infectious characteristic may: (A) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (B) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

**Lesotho:** Definition exists

Waste means hazardous and non-hazardous waste which includes the following substances and any of their combination which are discarded or are accumulated or stored by any person for the purpose of recovery, recycling or disposal: (a) undesirable or superfluous by-products; (b) residue or remainder of any process or activity; (c) any gaseous, liquid or solid matter.

**Madagascar:** Definition exists

"Projet de definition": In general, waste could be defined as all residues resulting from production process, transformation or use, or any substance, materials, products or more generally, any material or item which has been abandoned by its owner, either because its economic value is too small, or because it is low in quantity to justify an investment. In summary, it is an item, product or by-product which cannot be utilized for different reasons.

**Mali:** Definition exists

Loi N° 01-020 du 30 Mai 2001.

**Morocco:** Definition in preparation

The Law 28 -00 on Waste Management and their Disposal foresees a list of hazardous wastes, the importation of which will be banned. The Law 28-00 defines "wastes" at national level, as residues coming from the production process, from transformation or from utilization, all substances, materials, products or more generally abandoned goods, meant to be discarded, or disposed of with the aim of protecting the environment and the people. Les listes des déchets de la Convention de Bâle ainsi que les listes de l'Union Européenne sont utilisées pour contrôler les mouvements transfrontaliers des déchets dangeureuses.

**Mozambique:** Definition does not exist**Nigeria:** Definition exists

FEPA Harmful Wastes Provision Decree 42 of 1988. Wastes are defined as substances or objects which are disposed off or are intended to be disposed off or are required to be disposed off by the provisions of the laws of the Federal Republic of Nigeria.

**Seychelles:** Definition exists

According to the Environment Protection Act 1994, "wastes" means garbage, refuse, sludges, construction debris and other discarded substances resulting from industrial and commercial operations or from domestic, individual and community activity.

**South Africa:** Definition exists

The Environment Conservation Act, (Act no. 73 of 1989) defines waste as any matter, whether gaseous, liquid or solid or any combination thereof, which is from time to time designated by the Minister by notice in the Gazette as undesirable or superfluous by-product, emission, residue or reminder of any process or activity.

**Tunisia:** Definition does not exist

**Zambia:** Definition exists

According to the Environmental Protection and Pollution Control Act (EPPCA) of 1990, amended in 1999, "waste" means garbage, refuse, sludges and other discarded substances resulting from industrial and commercial operations and from domestic and community activities, intended to be disposed of, or are disposed of or are required to be disposed of, but does not include waste water as defined in Part IV of the Act.

---

**Question 2a. National Definition of waste**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

---

**Bahrain:** Definition exists

The definition is in accordance with the Basel Convention.

**Brunei Darussalam:** Definition exists

Waste is defined as any matter prescribed to be scheduled waste, or any matter whether in a solid, semi-solid or liquid form, or in the form of gas or vapour which is emitted, discharged or deposited in the environment in such volume, composition or manner as to cause pollution.

**Cambodia:** Definition exists

Solid Waste is defined as any hard objects, hard substances, products or refuse which are useless, disposed of, are intended to be disposed of, or are required to be disposed of. Household waste is the part of solid waste which does not contain toxic or hazardous substance and is discarded from dwellings, public building, factories, market, hotel, business building, restaurant, transport facilities, recreation site, ...etc.

**China:** Definition exists

China "Solid waste" refers to any solid, semisolid, or contained gaseous substance or material resulting from production, daily life and other activities, which lose its original utilization value, or which does not lose utilization value but is discarded, and substance or material regulated as solid waste by laws and regulations.

**Cyprus:** Definition exists

The House of Representative passed the new Law on Solid and Hazardous Waste Management on December 12, 2002. Within the new Law there is a definition of waste used for the purpose of transboundary movements of waste and it is in accordance with the provisions of the Basel Convention.

**Indonesia:** Definition exists

Article 1 paragraph 16 of Act No. 23/97 on Environmental Management, and Article 1 paragraph 1 of the Governmental Regulation Number 18/1999 (Amended by the Governmental Regulation Number 85/1999) on Hazardous Waste Management define waste as: "waste is the residue of a business and/ or activity".

**Iran (Islamic Republic of):** Definition exists

Waste is a kind of material in each forms of solid, liquid and gas (expected for sewage), arisen from human activities and considered as residue by its generator.

**Japan:** Definition exists

Two national legislations regulate transboundary movement of waste (in broad sense) in Japan. One is the Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (hereinafter "Basel Law"). The other is the Waste Management and Public Cleansing Law (hereinafter "Waste Management Law"). The two legislations define waste in different ways, and control transboundary movement of waste independently. Definition of "waste" under the Basel Law is exactly same as that under the Basel Convention. On the other hand, the Waste Management Law defines "waste" as "refuse, bulky refuse, ashes, sludge, excreta, waste oil, waste acid and alkali, carcasses and other filthy and unnecessary matter, which are in solid or liquid state (excluding radioactive waste and waste polluted by radioactivity)". If a cargo is "waste" under the Waste Management Law and "hazardous waste" under the Basel Convention, the cargo is subject to both laws independently.

**Kazakhstan:** Definition in preparation

The Determination wastes in legislation of the Republic Kazakhstan differs from accepted Basel convention and does not answer the purpose of the supervision and trans limit of transportation wastes i.e. on Basel convention "waste - a material or subjects, which delete, are intended to removing or subjects to removing in accordance with positions national legislation". According to acting Law of the Republic Kazakhstan "About protection of environment" st.1 (with change, contributed Law RK from 24.12.98; from 11.05.99 N 381-1; from 29.11.99 N 488-1; from 04.06.01 N 205-11; from 24.12.01 N 276-11; from 09.08.02 N 346-11; from 25.05.04. N 553-II; from 09.12.04 N 8-111; from 20.12.04 N 13-111; from 15.04.05 N 45-111, from 08.07. 05 7I-III from 10.01.06 116-III from 31.01.06 125-III): the waste production - a remainder cheese, material, chemical join, formed at production of the product, execution of other technological functioning and forfeited completely or partly source consumer characteristic required for using in corresponding to production, including man-caused mineral formation and waste agricultural production; (ZRK "About protection of environment). In ditto time, sphere of the action separate item Law "About protection of environment" provides supervision for ecological motivated way of the export, import and removing dangerous and the other wastes (the item 60 - 60-4 ZRK "About protection of environment" (with change, contributed Law RK from 24.12.98; from 11.05.99 N 381-1; from 29.11.99 N 488-1; from 04.06.01 N 205-11; from

24.12.01 N 276-II; from 09.08.02 N 346-II; from 25.05.04 N 553-II; from 09.12.04 N 8-III; from 20.12.04 N 13-III; from 15.04.05 N 45-III, from 08.07. 05 71-III from 10.01.06 116-III from 31.01.06 125-III). Necessary to note that at present Environment protection Ministry is designed Ecological Code, which passes the procedure of consideration in Parliament RK. In represented Parliament to editing determination "waste production" greatly approximate to positions Basel Convince that is to say in editing of the Ecological Code looks as follows: "waste production and consumptions (waste) - any material, material and, subjects, formed as a result anthropogenic to activity, not subjecting to further use in place of the formation, from which their owner disposes, has an intention or must dispose"

**Kiribati:** Definition exists

Waste includes matter:- (a) whether liquid, solid, gaseous or radioactive, whether toxic or not, which is discharged into the environment; or (b) which is the by product of any process activity or development with no apparent value or beneficial function; or (c) human excrement or faeces; or (d) animal excrement or remains; or (e) which is prescribed by regulation to be waste;

**Malaysia:** Definition exists

Waste is defined as any matter prescribed to be scheduled waste or any matter whether in a solid, semi-solid or liquid form, or in the form of a gas or vapor, which is emitted, discharged or deposited in the environment in such volume, composition or manner as to cause pollution.

**Pakistan:** Definition exists

According to Pakistan Environmental Protection Act - 1997, "waste" means any substance or object which has been, is being or is intended to be, discarded or disposed of, and includes liquid waste, solid waste, waste gases, suspended waste, industrial waste, agricultural waste, nuclear waste, municipal waste, hospital waste, used polyethylene bags and residues from the incineration of all types of waste.

**Republic of Korea:** Definition exists

Pursuant to Article 2 of the Waste Management Act (enacted in 1986), the waste is defined as "any matter such as trash, fly ash, sludge, waste oil, waste acid, waste alkali and animal carcasses, which becomes unnecessary for human living or business activities". However, radioactive wastes or gaseous matters, as well as wastewater and sewage that flow into water pollution prevention facilities are not included in the definition.

**Singapore:** Definition exists

"Waste" means a substance or object that is proposed to be disposed of; or required by any written law to be disposed of.

**Sri Lanka:** Definition exists

Waste includes any matter prescribed to be waste and any matter, whether liquid, solid, gaseous or radioactive which is discharged, emitted, or deposited in the environment in such volume, constituency or manner as to cause alternation of the environment.

**Viet Nam:** Definition exists

Law on Environmental Protection in 2005 (entered into force since 1 July 2006) generally defines that wastes are substances in form of solid, liquid, gas, which are discharged production, service, living or other activities. Decision No. 23/2006/QĐ-BTNMT dated 26 December 2006 of Minister of Natural Resources and Environment issues the List of Hazardous Waste.

---

**Question 2a. National Definition of waste**

---

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

---

**Armenia:** Definition exists

National definition of wastes (industrial and household) is given in the National "Law on Wastes" (Part one, article 4 "Definition"), adopted on November 24, 2004 (AL-159-N): 1) industrial and household wastes /hereinafter - wastes/ - wastes arising in the process of industrial or household consumption of raw materials, compounds, products and by-products, other production or food processing remains, as well as manufactured goods/produce that lost the initial consumer properties; 17) waste transboundary movement – transportation of wastes from the area of a country to the area of another country or ever some area that is out of jurisdiction of any country, on condition that such transportation of wastes relates to benefits of at least two countries.

**Belarus:** Definition exists

Wastes are substances or goods produced in the process of economic activity or life of man that do not have any certain application at site of their generation or that have lost totally or partially their consumer properties due to physical or moral obsolescence.

**Bosnia & Herzegovina:** Definition exists

"Waste" means any substance or object which the holder discards or intends or is required to discard, belongs to one of the categories and appears in the list of wastes adopted in a separate legal regulation. (Secondary law of categories waste with lists, " Official Gazette of Federation of Bosnia and Herzegovina", number: 9/05"), adopted in: 16 February of 2005 year.

**Croatia:** Definition exists

The national definition of waste is in accordance with Article 2 of the Waste Act, Official Gazette, No. 178/04. Pursuant to this Act, waste means any substance or object determined by categories of waste by means of prescribed secondary legislation (Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste, Official Gazette, No. 50/05) pursuant to this Act, which the holder discards, intends to or must discard. List of categories of waste is in accordance with Annex I of Directive 2006/12/EC of the European Parliament and of the council of 5 April 2006 on waste.

**Czech Republic:** Definition exists

Act on Waste No. 185/2001 Coll., as amended. Waste means any movable thing in the categories set out in Annex 1 to the Act, which a person discards or intends or is required to discard. Annex 1 to the Act is identical with Annex I of Directive of the European Parliament and the Council 2006/12/EC on waste.

**Estonia:** Definition exists

Waste shall mean any movable which the holder has discarded or intends or is required to discard.

**Georgia:** Definition in preparation

Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

**Hungary:** Definition exists

Waste shall mean any substance or object in the categories set out in Annex 1 to Act XLIII of 2000 which the holder discards or intends or is required to discard. (The Annex 1 to Act XLIII of 2000 is available in the Country Fact Sheet (Hungary) prepared by the Secretariat)

**Latvia:** Definition exists

"Waste - any object or substance which holder disposes of, or intends to or is forced to dispose of, and which conforms to the categories specified in the waste classification." (Waste Management Law, Art.1.1)

**Poland:** Definition exists

In the light of the Act on Waste of 27 April 2001 (O.J. of 2 June 2001, No.62, Item 628 as amended, came into force in October 2001) "waste" shall mean any substance or object in one of the categories listed in Annex I to this Act with the holder thereof discards or intends or is required to discard.

**Republic of Moldova:** Definition exists

Waste - are substances, materials or objects from Statistical classificatory of waste, which the holder or producer discards or intends or required to discard disposed through disposal.

**Romania: Definition does not exist**

In Romania there is no national definition of waste used specially for the purposes of transboundary movements. The definition of waste from the Emergency Ordinance 78/2000 for the Waste Regime approved with modifications by Law 426/2001, modified and completed by Emergency Ordinance no.61/2006 and is generally based on the relevant definitions of the Basel Convention and the pertinent EU Directives. A definition of wastes and residues is contained in the Government Decision dealing with import of wastes of every description. This covers any materials having no value for use, and household wastes.

**Slovakia: Definition exists**

According to the Act No. 223/2001 Coll. of Laws on Waste and on Amendment of Certain Acts as amended a waste shall mean a movable thing specified in Annex 1, which the holder discards, or wishes to discard, or is obliged to discard pursuant to the Act or special regulations (For instance, the Act of the National Council of the Slovak Republic No. 272/1994 Coll. of Laws on Human Health Protection, as amended, § 43 of the Act No. 140/1998 Coll. of Laws on Medicaments and Medical Aids, on Modification of the Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended, and on Modification and Amendment of the Act of the National Council of the Slovak Republic No. 220/1196 Coll. of Laws on Advertisement, as amended by the Act No. 119/2000 Coll. of Laws, Regulation of the Ministry of Health of the Slovak Republic No. 12/2000 Coll. of Laws on Requirements for the Provision of Radiation Protection). The national waste definition refers to the waste definition of the Directive 75/442/EEC on waste as amended. According to the Annex 1 to Act No. 223/2001 Coll. of Laws the wastes are: Production or consumption wastes not otherwise specified below; Off-specification products; Products whose date for appropriate use has expired; Materials spilled, lost or having undergone other mishap, including any materials, equipment, etc., contaminated as a result of the mishap; Materials soiled or contaminated as a result of planned actions (e.g. waste from cleaning operations, packing materials, containers); Unusable parts (e.g. rejected batteries, exhausted catalysts); Substances which no longer perform satisfactorily (e.g. contaminated acids, contaminated solvents, exhausted tempering salts); Residues of industrial processes (e.g. slags, still bottoms); Residues from pollution abatement processes (e.g. scrubber sludges, baghouse dusts, spent filters); Machining/finishing residues (e.g. lathe turnings, mill scales); Residues from raw materials extraction and processing (e.g. mining residues, oil fieldslops); Adulterated materials (e.g. oils contaminated with PCBs); Any materials, substances or products whose use has been banned by law; Products for which the holder has no further use (e.g. agricultural, household, office, commercial and shop discards); Contaminated materials, substances or products resulting from remedial action with respect to land; and Any materials, substances or products which are not contained in the above categories. The Decree No. 284/2001 Coll. of Laws on Waste Catalogue defines two categories of wastes: a) non-hazardous, b) hazardous.

**Slovenia: Definition exists**

According to Rules on Waste Management (1998) as amended definition of waste is: Waste shall be deemed to be all substances or items which are classified under any of the groups of waste specified in Annex 1A\* to these Rules and whose owner disposes them of, intend to dispose of or must dispose of them. Classification list of wastes (hereinafter: list of wastes\*\*) is determined in Annex 1 to these Rules which is an integral part of this Rules. Definition is in line with EU Waste Framework Directive - Council Directive 2006/12/EC (75/442/EEC) on waste as amended. With regard to transboundary movements of wastes applies Regulation (EC) 1013/2006. \* list of groups of wastes which is in line with Categories of wastes from Annex I to Council Directive 2006/12/EC (75/442/EEC) on waste. \*\*in line with the list of wastes established pursuant to Article 1(1)(a) of Council Directive 2006/12/EC (75/442/EEC) on waste and Article 1(4) of Council Directive 91/689/EEC on hazardous waste - Commission Decision 2000/532/ES.

---

**Question 2a. National Definition of waste**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

---

**Barbados:** Definition does not exist

**Belize:** Definition in preparation

**Brazil:** Definition exists

ABNT NBR 10.004 - general definition for any purpose.

**Chile:** Definition exists

En junio de 2005 entró en vigencia el Reglamento Sanitario de Manejo de Residuos Peligrosos, el cual define qué es un residuo.

**Colombia:** Definition exists

In accordance to National Decree No. 4741 of 2005, art.3, residue or waste is defined as "any object, material, substance, element or product found in a solid or semi-solid state, or is a liquid or gas contained in a vessel or otherwise deposited, which is discarded, rejected or delivered by its originator on account to the fact that its properties prevent it from being reused in the framework of the activity under which it was produced, or the fact that currently applicable legislation forbids its reutilization".

**Costa Rica:** Definition exists

Waste is "any deficient, non-usable or useless product, that its owner or user decided to eliminate or dispose." (The Basel Convention is a Law in Costa Rica: No 7438, November 18, 1994.) Waste is "any substances products or materials without a direct use, whose owner needs to dispose or is compelled to discard according with the national legislation (Decreto Ejecutivo N° 27378-S published in official newspaper "La Gaceta", June 19, 1997.

**Cuba:** Definition does not exist

**Dominican Republic:** Definition exists

Wastes. All material in liquid or gaseous, or isolated solid state or mixture with others, resulting of a process of extraction of the nature, transformation, manufactured or consumption that his prosessor decides to leave. They are recognized like been accustomed to those that are not liquid or muds. In relation to the generation source the types settle down: a) Commercial Solid Waste. B) Domestic Solid Waste. C) Agricultural Waste. D) Biomedics Waste. E) Demolition or construction Waste. F) Industrial Waste. This definition is contemplated in our National Norm for the Environmental Management of remainders non dangerous that was edited in Santo Domingo, Dominican republic on June 2003 by the Secretary of State of Environment and Naturals Resources (Pages 15,16).

**El Salvador:** Definition exists

Under the Environment Act, waste as well as hazardous waste are defined as "any material which is of no direct use or is permanently discarded and which, because of its chemical activity or its corrosive, reactive, inflammable, toxic, explosive, spontaneous combustion, oxidizing, infectious, bioaccumulative, ecotoxic or radioactive or other characteristics, cause danger or jeopardize human health or the environment, either per se or in contact with another waste material".

**Guyana:** Definition does not exist

**Honduras:** Definition in preparation

Definition given by the Basel Convention is in use.

**Jamaica:** Definition exists

Part I of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002 "wastes" includes any material, substance or object, or its residue or by-product, which - (a) is rejected, discarded or abandoned; or (b) is disposed of or is intended to be disposed of or is required to be disposed of in accordance with the Regulations

**Mexico:** Definition exists

Material or product whose proprietor or possessor rejects and who is in solid state or semisolid, or is a liquid or gas

contained in containers or deposits, and that can be susceptible to be valorized or requires to subject to treatment or final disposition according to the arranged thing in this Law and other orderings that of it derive. In accordance with Article 5 Fraction XXIX of the General Law of Prevention and Integral Management of Wastes, published in the Official Newspaper of the Federation the 08 of October of 2003.

**Paraguay: Definition exists**

Basura o residuos o desechos tóxicos : Sustancia o elementos resultados de los procesos industriales y productos que han sido adquiridos y/o desechados y que por su características explosivas inflamables oxidantes, tóxicas, infecciosas, radioactivas, corrosivas, ect; que puedan causar riesgos presentes a futuros a la calidad de vida de los personas o afecta al suelo , la flora, la fauna, contaminar el aire, las aguas de manera tal que dañen la salud human o ambiental de nuestro país.

**Trinidad and Tobago: Definition exists**

Waste includes any material discarded or intended to be discarded which 1. constitutes garbage, refuse, sludge, or other solid, liquid, semi-solid or gaseous material resulting from any residential, community, commercial, industrial, manufacturing, mining, petroleum or natural gas exploration, extraction or processing, agricultural, healthcare, or scientific research activities; or 2. is otherwise identified by the Authority as a waste under Section 55. Ref. Source: Environmental Management Act 2000 Part 1.

**Venezuela: Definition exists**

Waste: Material, substance, solution, mixture or object with no immediate fate provided for which must be eliminated or disposed of in a permanent manner. Hazardous Substances, Materials and Wastes Act, Ley Sobre Sustancias, Materiales y Desechos Peligrosos published in Official Gazette Extraordinary No. 5554 of 13 November 2001, and Decree 2635 containing the "Norms for the Control and Recovery of Hazardous Materials and the Management of Hazardous Wastes", published in the Official Gazette Extraordinary No. 5245 of 3 August 1998.

---

**Question 2a. National Definition of waste**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

---

**Andorra:** Definition does not exist

There is no definition of waste specifically related to the transboundary movements of waste but we have a definition of waste in our national law "Llei 25/2004; del 14 de desembre, de residus", article 3. Waste: Any substance or object whose possessor abandons, has the intention to abandon, or has the obligation to abandon, according with the National Waste Catalogue, published according to the European waste list. There are some more definitions about urban waste, specific waste, biodegradable waste, inert waste and recyclable waste in article 3. In the regulation about the sanitary waste management there is a definition of sanitary wastes in article 5. In the regulation about meat waste there is a definition of this kind of waste. By the other hand, in regulation of transboundary movements of waste (14-12-2005) there is a classification of waste (green list, orange list and red list). In addition to this, the following points can be highlighted: - All international conventions and treaties to which Andorra has acceded become integral parts of domestic legislation immediately upon their entry into force. Under article 3 of the Constitution, international treaties and agreements are integrated into the country's legal system as soon as they are published in the Official Gazette of the Principality of Andorra, and may not be modified or abrogated through legislation. - The Agreement between Andorra and Spain (17-10-06) concerning the transboundary movements of wastes. Article 3 defines which wastes are subject to the agreement and these wastes are: Wastes included in Annex II of the European Council Regulation 259/93/CEE, of 01/02/1993 amended by the Decision of the European Commission 99/816/CE, dated 24/11/1999; Wastes included in Annex III of the European Council Regulation 259/93/CEE, of 01/02/1993 amended by the Decision of the European 99/816/CE, dated 24/11/1999. Article 4 states that, on the Spanish side, all imports of waste will be realized in complete conformity with the European Union rules defined in the Regulation 259/93/CEE.

**Australia:** Definition exists

Waste means a substance or object that: is proposed to be disposed of; or is disposed of; or is required by a law of the Commonwealth, a State or a Territory to be disposed of.

**Austria:** Definition exists

Definition of waste is in line with EU Regulation 2006/12/EC (Article 1). For the purposes of this Directive: (a) "waste" means any substance or object which the holder disposes of or is required to dispose of pursuant to the provisions of national law in force; OJ L 114 27.04.2006L 114 The national definition is laid down in article 2 of the Act on sustainable Waste Management (Federal Waste Management Act 2002), Fed. Law. Gaz. I 2002/102 as amended. The text can be obtained via Internet: <http://www.lebensministerium.at/article/articleview/30826/1/6967/> A draft English translation is available via the focal point.

**Belgium:** Definition exists

In Belgium the definition of waste and hazardous waste is in accordance with the European Law. With regard to transboundary movements of wastes the Council Regulation (EEC) N° 259/93 is applied.

**Canada:** Definition in preparation

For the purposes of transboundary movement there is a regulatory definition of hazardous waste (note: Canada differentiate hazardous waste and hazardous recyclable material. Thus there is a definition for both (see 2.b below), while the definition of non-hazardous waste is under development. The definition of hazardous waste and hazardous recyclable material for the purposes of controlling transboundary movements destined for final disposal or recycling is set out in the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR) (see 2b, below). With respect to non-hazardous waste, the Government of Canada has undertaken consultations in the development of regulations for international movements of non-hazardous wastes destined for final disposal. The definition of non-hazardous wastes for final disposal will likely include wastes generated from specific sources which are covered by the proposed regulations. Consistent with international definitions, the initial focus is on municipal solid wastes, including household or residential waste, as well as residues from the incineration of municipal solid waste. Furthermore, in Canada, each province and territory defines wastes within their jurisdiction and for the licensing or certification of authorized facilities. These definitions include requirements for both disposal and recycling. Information regarding definitions for each province and territory can be found at <http://www.ec.gc.ca/wmd-dgd/default.asp?lang=En&n=7DA57C1E-1>

**Denmark:** Definition exists

According to EU directive 75/442/EEC article 1 (a): waste shall mean any substance or object in the categories set out in Annex I which the holder discards or intends or is required to discard.

**Finland:** Definition exists

According to Section 3 of the Finnish Waste Act (1072/1993) "Waste shall mean any substance or object which the holder discards, intends, or is required, to discard." This definition is identical to the definition of waste in the Council Directive of the European Communities on waste (2006/12/EC).

**Germany: Definition exists**

In Germany the provisions of the Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the EC (EC Waste Movement Regulation) apply. Concerning the definition of waste the regulation refers to the Waste Framework Directive (75/442/EEC) as amended. Article 1 (a) reads: "waste' shall mean any substance or object in the categories set out in Annex I which the holder discards or intends or is required to discard." Annex I - Categories of waste: Q1 Production or consumption residues not otherwise specified below Q2 Off-specification products Q3 Products whose date for appropriate use has expired Q4 Materials spilled, lost or having undergone other mishap, including any materials, equipment, etc., contaminated as a result of the mishap Q5 Materials contaminated or soiled as a result of planned actions (e.g. residues from cleaning operations, packing materials, containers, etc.) Q6 Unusable parts (e.g. reject batteries, exhausted catalysts, etc.) Q7 Substances which no longer perform satisfactorily (e.g. contaminated acids, contaminated solvents, exhausted tempering salts, etc.) Q8 Residues of industrial processes (e.g. slags, still bottoms, etc.) Q9 Residues from pollution abatement processes (e.g. scrubber sludges, baghouse dusts, spent filters, etc.) Q10 Machining/finishing residues (e.g. lathe turnings, mill scales, etc. Q11 Residues from raw materials extraction and processing (e.g. mining residues, oil field slops, etc.) Q12 Adulterated materials (e.g. oils contaminated with PCBs, etc.) Q13 Any materials, substances or products whose use has been banned by law Q14 Products for which the holder has no further use (e.g. agricultural, household, office, commercial and shop discards, etc.) Q15 Contaminated materials, substances or products resulting from remedial action with respect to land Q16 Any materials, substances or products which are not contained in the above categories.

**Greece: Definition exists**

In national legislation the definition of "Waste", as stated in European Regulation 259/93, (Article referring to 75/442/EEC) is used. - Common Ministerial Decision 50910/2727/16-12-2003 (Article 2 a) defines non-hazardous waste as follows: "Solid (non-hazardous) Waste shall mean any substance or object in the categories set out in (a) Annex I of Directive 75/422/EEC and (b) European Waste Catalogue, which the holder discards or intends or is required to discard"

**Ireland: Definition exists**

Section 4(1)(a) of the Waste Management Act, 1996, as amended defines waste to mean any substance or object belonging to a category of waste specified in the First Schedule (of the Act), or for the time being included in the European Waste Catalogue which the holder discards or intends to or is required to discard, and anything which is discarded or otherwise dealt with as if were waste shall be presumed to be waste until the contrary is proved.

**Italy: Definition exists**

The national definition of waste is in accordance with the Legislative Decree No 152/2006 and Council Regulation (EEC) No. 259/93 adopted from Council Directive 75/442/EEC on Waste.

**Luxembourg: Definition exists**

The definition of waste is in accordance with the directive 72006/12/EC.

**Monaco: Definition does not exist****Netherlands: Definition exists**

The Netherlands uses the EC definition of waste as described in Directive 2006/12/EC, Article 1.

**New Zealand: Definition exists**

The definition of waste is specified in the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at [www.legislation.govt.nz](http://www.legislation.govt.nz). "waste" means any substance or object that is - (a) intended to be disposed of by any of the methods specified in Part 4 of Schedule 3; or (b) required, by any law of New Zealand, to be disposed of by any of the methods specified in Part 4 of Schedule 3.

**Norway: Definition exists**

Pollution Control Act, Chapter 5 On waste, § 27 Definitions, first paragraph: "For the purpose of this Act, the term waste means discarded objects of personal property or substances. Surplus objects and substances from service industries, manufacturing industries and treatment plants, etc., are also considered to be waste. Waste water and exhaust gases are not considered to be waste." Section 27 also contains definitions of household waste, industrial waste, and special waste (including hazardous waste). A translation of the Pollution Control Act may be found at <http://www.regjeringen.no/en/doc/Laws/Acts/Pollution-Control-Act.html?id=171893> (NB! The translation is for information use only).

**Sweden: Definition exists**

Waste means any substance or object in the categories set out in a list of waste categories which the holder discards or intends to or is required to discard. For the purpose of transboundary movements of waste EU regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European

Community defined what waste should be controlled.

**Turkey: Definition exists**

According to the Turkish Environment Law, official paper of 11 August 1983 (No. 18132), waste is harmful substances discharged into or dumping in the environment as a result of any activity.

**United Kingdom of Great Britain and Northern Ireland: Definition exists**

'Waste', including wastes subject to transboundary movements, is defined in Article 1(a) of the EC Framework Directive on Waste (Council Directive 75/442/EEC as amended by 91/156/EEC and Council Decision 96/350/EEC). Article 1(a) provides that 'waste' shall mean any substance or object in the categories set out in Annex I [to the Directive] which the holder discards or intends or is required to discard.

---

**Question 2b. National Definition of Hazardous waste****2006. Africa. (Parties which did not report are not listed).**

---

**Algeria:** Definition exists

Hazardous special wastes: all special waste which by its constituents or by characteristics of hazardous matters that hold back are susceptible to be harmful to public health and for the environment.

**Botswana:** Definition exists

Hazardous waste means controlled waste which has potential, even in low concentrations, to have significant adverse effect on public health or the environment on account of its inherent chemical and physical characteristics, such as toxic, ignitable, corrosive, carcinogenic or other properties. (Waste Management Act 1998)

**Cameroon:** Definition exists

Sont considérés comme déchets toxiques et/ou dangereux, les matières contenant des substances inflammables, explosives, radioactives, toxiques présentant un danger pour la vie des personnes, des animaux, des plantes et pour l'environnement. Cette définition est donnée par la Loi N° 89/027 du 29 décembre 1989 portant sur les déchets toxiques et dangereux. (Those are considered as toxic wastes and/or dangerous, materials containing inflammables, explosives, radioactive, toxic substances, presenting a danger for the people, animals, plants and environment. This definition is found in the law N° 89/027 of 29 December 1989 on toxic and dangerous wastes.)

**Gambia:** Definition in preparation

Under the Waste Bill that is being prepared, Hazardous Wastes Regulations are being elaborated. The definition of hazardous waste will be broader than Basel definition and will cover radio-active wastes.

**Ghana:** Definition exists**Lesotho:** Definition exists

Hazardous waste means waste which has the potential to have significant adverse effect on human health or the environment on account of its inherent chemical and physical characteristics, such as toxicity, flammability, corrosiveness, carcinogenicity or other properties.

**Madagascar:** Definition exists

A waste is considered hazardous when it is likely to cause harmful effects to human health and/or the environment. Therefore, hazardous wastes can be corrosive, caustic, toxic, carcinogenic, explosive, inflammable or carry harmful germs. Definition of a national project of hazardous wastes which will be adopted later after being adopted by the National Assembly. This definition is out of the national legislation concerning the environmentally sound management of solid, liquid and pasty wastes in Madagascar.

**Mali:** Definition exists

Décret N° 07 -135 /P-RM du 16 Avril 2007 fixing list of hazardous waste.

**Morocco:** Definition exists

"Déchets dangereux: toutes formes de déchets qui, par leur nature dangereuse, toxique, réactive, explosive, inflammable, biologique ou bactérienne, sont susceptibles de constituer un danger dans ce domaine ou contenu dans des annexes complémentaires qui seront fixées par voie réglementaire (selon la loi No. 11-03 relative à la protection et à la mise en valeur de l'environnement".

**Mozambique:** Definition does not exist

Both Article 1 of the Environmental Law 20/97, and Article 1 of the Decree 13/2006, the Regulation of waste Management (definition section), hazardous wastes and residues are substances destined for elimination, and posing a risk to human health or the environment due to one or more of the characteristics listed in the provision. The definition is in accordance with the Annexes I, II and III of the Basel Convention.

**Nigeria:** Definition exists

The National Guidelines and Standards for Environmental Pollution Control in Nigeria defines "Hazardous Wastes" as a by-product of society that can pose a substantial or potential hazard to human health or the environment when it is improperly disposed. The definition is based on hazardous characteristics e.g. (ignitability, corrosivity, reactivity or toxicity).

**Seychelles:** Definition exists

According to the Environment Protection Act 1994, "hazardous waste" is defined as waste which is poisonous, corrosive, irritant, noxious, explosive, inflammable, toxic or harmful to the environment. Locally there is a need to amend as and when the Act is reviewed, the above definitions such that they are in line with the Basel Convention.

**South Africa:** Definition exists

The South African Department of Water Affairs and Forestry Minimum Requirements for Handling, Classification and Disposal of Hazardous Waste defines hazardous waste as waste that has a potential, even in low concentrations, to have significant adverse effect on public health and the environment because of its inherent toxicological, chemical and physical characteristics.

**Tunisia:** Definition exists

In Tunisia there is a national definition of hazardous wastes. Tunisian list (list available on request) of hazardous wastes consists of (i) wastes contained in Annex I (hazardous wastes list) and; (ii) any other waste containing any Annex II constituents and exhibits any Annex III hazard characteristics. Each hazardous waste is assigned a six digit code.

**Zambia:** Definition exists

According to the Hazardous Waste Management Regulations Statutory Instrument Number 125 of 2001, "hazardous waste" means waste, including objects, articles or substances, which is poisonous, corrosive, irritant, explosive, inflammable, toxic or harmful to man, animal, plant or environment.

---

**Question 2b. National Definition of Hazardous waste****2006. Asia and Pacific. (Parties which did not report are not listed).**

---

**Bahrain:** Definition exists

1. Hazardous Waste: any solid, semi-solid or liquid matter containing gaseous waste or a group of compounds of waste that may lead to a hazard or potential hazard to public health, environment and wildlife because of their quantity, concentration, physical, chemical or biological properties when they are managed in an environmentally improper manner. Such waste include the following: a. All waste having the characteristics or properties mentioned in Appendix 4 of this Resolution, including chemical waste, defined as unusable chemical products, or products that do not conform to the standards, or materials that remain of container contents or remains of leaking materials that belong to one of the categories mentioned in Appendix 3. b. All waste belonging to one of the categories mentioned in Appendix 3 and possess any of the properties mentioned in Appendix 4 or if they are a mixture of hazardous waste and other materials. C. Any waste that exceed the standard concentration mentioned in Appendix 5 after carrying out the Toxicity Characteristic Leaching Procedure (TCLP). d. All hazardous waste mentioned in Appendix 6 of this Resolution. e. Any other waste defined by the Competent Authority as hazardous waste.

**Brunei Darussalam:** Definition exists

Hazardous waste is also identified as "Scheduled Wastes", which is defined as any waste falling within the categories of waste listed in the Fourth Schedule of the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Definition exists

Hazardous waste is defined as any substances that are radioactive, explosive, toxic, inflammable, pathogenic, irritating, corrosive, oxidizing, or other chemical substances which may cause danger to human and animal health or damage plants, public property and the environment.

**China:** Definition exists

China "Hazardous wastes" means solid wastes included in the national catalogue of hazardous waste or solid wastes which, according to the identification standards of hazardous wastes, are determined as having the hazardous property. Hong Kong Special Administrative Region, China: The list of hazardous wastes for the purpose of control on waste import and export in Hong Kong Special Administrative Region (HKSAR) is specified in the Seventh Schedule (Annex I, available upon request from the Secretariat) of the Waste Disposal Ordinance (WDO), the Laws of Hong Kong Chapter 354. Under the WDO, contaminated wastes are also controlled as hazardous wastes. For the purpose of control on import and export of wastes under the WDO, a waste is "contaminated" if it is contaminated by a substance to an extent which - Significantly increases the risk of human health, property or the environment associated with the waste; or - Prevents the reprocessing, recycling, recovery or re-use of the waste in an environmentally sound manner.

**Cyprus:** Definition exists

The House of Representative passed the new Law on Solid and Hazardous Waste Management on December 12, 2002. Within the new Law there is a definition of hazardous waste used for the purpose of transboundary movements of waste and it is in accordance with the provisions of the Basel Convention.

**Indonesia:** Definition exists

Article 1 paragraph 18 of the Act No. 23/97 and Article 1 paragraph 2 of the Governmental Regulation No. 18/1999 (Amended by the Governmental Regulation No. 85/1999) share almost similar definition for Hazardous Waste. Hazardous Waste is the residue/leftover from business activities that contain hazards and/or toxicants due to its nature and/or its concentration and/or its amount which directly as well as indirectly, could pollute and/or deteriorate the environment, and/or harmful to the environment, health, the continuation of human life and other living creatures.

**Iran (Islamic Republic of):** Definition exists

The hazardous wastes are referred in the national waste management legislation as Particular Wastes. Particular wastes cover all kinds of wastes containing at least one hazardous characteristic such as toxic, pathogenic, explosive, flammable, corrosive and other similar characteristics which need special consideration in addition to the clinical wastes and the part of household, industrial and agricultural wastes which need special management.

**Japan:** Definition exists

Hazardous wastes defined by the Basel Law are as follows: A. The following materials which are exported or imported for the disposal operations listed in Annex IV of the Basel Convention. 1. Materials listed in Annex I of the Convention and having one or more hazardous characteristics listed in Annex III of the Convention; 2. Materials listed in Annex II of the Convention; 3. Materials to be notified to the Secretariat of the Convention by the Government of Japan through the designation by the Cabinet Order in accordance with Section 1 or 2 of Article 3

of the Convention; and 4. Materials informed by the Secretariat of the Convention in accordance with Section 3 of Article 3 of the Convention. B. Materials, exportation, importation, transportation (including storage) and disposal of which must be regulated based on bilateral, multilateral or regional agreements or arrangements defined in Article 11 of the Convention. (The Waste Management Law also defines hazardous waste as "Special Control Waste (hereinafter SCW)" independently, but import/export regulations under the Waste Management Law do not differ between SCW and non-SCW.)

**Kazakhstan:** Definition does not exist

The Determination of the dangerous waste in acting legislation differs from accepted Basel Convention According to st.1 on Basel dangerous waste, first of all, are object translimit transportation or subjects to the translimit to transportation. While in accordance with acting Law of the Republic Kazakhstan "About environment protection" st.1 (with change, contributed Law RK from 24.12.98; from 11.05.99 N 381-1; from 29.11.99 N 488-1; from 04.06.01 N 205-II; from 24.12.01 N 276-II; from 09.08.02 N 346-II; from 25.05.04 N 553-II; from 09.12.04 N 8-III; from 20.12.04 N 13-III; from 15.04.05 N 45-III, from 08.07.05 71-III from 10.01.06 116-III from 31.01.06 125-III): the dangerous waste - a waste, containing bad material and possessing dangerous characteristic (toxicity, explosive risk, fire risk, high reactionary ability), or which can represent the danger for health of the person and environment by itself or when entering in interaction with the other material. In editing of the Ecological Code: "waste dangerous - a waste, which contains the bad material, possessing dangerous characteristic (toxicity, explosive risk, fire risk, high-reactionary ability), or which can represent direct or potential danger for environment and health of the person by itself or when entering in contact with the other material". Thereby, taking the editorial adjustments of the determination "dangerous wastes" drawing near positions national legislation to positions Basel convention at present is not planned".

**Kiribati:** Definition exists

Draft definition "Hazardous waste including which contains explosives, gases, flammable solids, flammable liquids, corrosive substances, toxic substances, oxidizing agents, organic peroxides, asbestos or substances which emit flammable gases." A further definition is provided for clinical wastes: "clinical waste including human tissue body fluids, blood, faecal material, materials and equipment which is visibly blood stained with body fluids or faecal matter, materials and equipment which has been used to penetrate the skin, laboratory specimens or culture and any other waste resulting from medical, nursing, dental, pharmaceutical or any other related clinical activity." [Further consideration is currently being given to this definition]

**Malaysia:** Definition exists

Hazardous waste is defined as any waste falling within the categories of waste listed in the First Schedule of the Environment Quality (Scheduled Wastes) Regulations 2005.

**Pakistan:** Definition exists

Pakistan Environmental Protection Act 1997 defines "Hazardous waste" as waste which is or which contains a hazardous substance, and includes hospital waste and nuclear waste. Pakistan Environmental Protection Act 1997 defines "Hazardous substance" as (a) a substance or mixture of substance, other than a pesticide as defined in the Agricultural Pesticide Ordinance, 1971 (II of 1971), which, by reason of its chemical activity is toxic, explosive, flammable, corrosive, radioactive or other characteristics causes, or is likely to cause, directly or in combination with other matters, an adverse environmental effect; and (b) any substance which may be prescribed as a hazardous substance.

**Republic of Korea:** Definition exists

Pursuant to provisions in Article 2 of the Presidential Decree of the Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal, hazardous waste is defined as: 1. Waste listed in Annex I or Annex VIII that exhibit any of the hazardous characteristics listed in Annex III. 2. Waste listed in Annex II. 3. Waste that Korea has notified to the convention secretariat as being hazardous pursuant to Article III Paragraph I, II, and III and Article XI. The specified list of hazardous wastes controlled by Korean Government was revised in 2007.

**Singapore:** Definition exists

"Hazardous waste" means waste controlled as hazardous waste under the Basel Convention. The list of hazardous wastes for the purpose of transboundary movements are specified in the Hazardous Waste (Control of Export, Import and Transit) Act. The list follows the list of hazardous waste under the Basel Convention and includes wastes listed in Annex VIII (List A) and exclude wastes listed in Annex IX (List B).

**Sri Lanka:** Definition exists

All wastes defined in the Annex I of the Basel Convention and radioactive waste are considered as hazardous waste. Annex VIII and IX will be used for controlling purposes, and if the waste does not appear on either of these lists, Annex I and III will be used for decision making.

**Viet Nam:** Definition exists

Law on Environmental Protection in 2005 (entered into force since 1 July 2006) generally defines that wastes are substances in form of solid, liquid, gas, which are discharged production, service, living or other activities. Decision

No. 23/2006/QĐ-BTNMT dated 26 December 2006 of Minister of Natural Resources and Environment issues the List of Hazardous Waste.

---

**Question 2b. National Definition of Hazardous waste****2006. Central and Eastern Europe. (Parties which did not report are not listed).**

---

**Armenia:** Definition exists

National definition of wastes (industrial and household) as well hazardous wastes is given in National "Law on Wastes" (Part one, article 4 "Definition"), adopted on November 14, 2004 (AL-159-N): industrial and household wastes /hereinafter - wastes/ - wastes arising in the process of industrial or household consumption of raw materials, compounds, products and by-products, other production or food processing remains, as well as manufactured goods/produce that lost the initial consumer properties; hazardous wastes – wastes, the physical, chemical or biological characteristics of which pose or can arise danger to Human Health and damage to the Environment and require special methods, procedures, and means for their management; waste transboundary movement – transportation of wastes from the area of a country to the area of another country or ever some area that is out of jurisdiction of any country, on condition that such transportation of wastes relates to benefits of at least two countries.

**Belarus:** Definition exists

Hazardous wastes are wastes that contain as their constitutes substances possessing any hazardous property or they set (toxicity, infectious, explosivity, high reaction ability and (or) other similar properties) and existing in such amounts and in such form that this waste independently or in contact with other substances can represent immediate or potential threat to environment, people health and (or) to people property including that caused by their adverse impact on environment.

**Bosnia & Herzegovina:** Definition exists

"Hazardous waste" means any waste which is covered by separate regulations and which has one or more of the properties, which poses a hazard to human health and to the environment due to its origin, composition or concentration, and which is listed in the list of wastes adopted by a separate regulation as hazardous.

**Croatia:** Status not provided

The national definition of hazardous waste is in accordance with article 3 of the Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste (Official Gazette, No. 50/05). This Regulation establishes categories, types and classification of waste depending on its properties and place of origin, and determines the waste catalogue, list of hazardous waste and list of waste in transboundary transport. Pursuant to this Regulation, hazardous waste is waste determined by categories (generic types) and composition, and it must contain one or more properties as determined in the List of hazardous waste which is in accordance with Council Directive of 12 December 1991 on hazardous waste. Waste catalogue and list of waste in transboundary transport mentioned above are entirely compiled with Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

**Czech Republic:** Definition exists

Act on Waste No. 185/2001 Coll., as amended, Decrees of the Ministry of the Environment No. 376/2001 Coll. and 381/2001 Coll., as amended. National definition of hazardous waste is based on Council Directive 91/689/EEC on hazardous waste as amended. Hazardous waste means any waste featured on the list of hazardous wastes as well as any other waste displaying one or more hazardous properties. The list of properties of wastes which render them hazardous is set up by Annex III to the Directive. The list of hazardous waste pursuant to the Directive has been established by Commission Decision 200/532/EC as amended. The wastes featuring on the list of hazardous wastes must have on or more of the properties listed in Annex III to the Directive. The Directive and the List of hazardous waste are transposed into Act on Waste No 185/2001 Coll. as amended, Decree 376/2001 Coll. and Decree No. 381/2001 Coll. as amended. In the Czech Republic (and in the EU) the above mentioned definition is used only for the purpose of implementing the Basel Convention amendment (ban on export of hazardous waste destined for recovery to non-OECD countries). The control procedures for other transboundary movements of wastes destined for recovery are not based on the definition of hazardous waste, but on a specific listing system established by EU Regulation (EC) 1013/2006 on shipments of waste. The listing system consists of two lists of waste. The first one (Annex III to the EU Regulation 1013/2006 - Green listed waste) containing wastes not requiring notification and prior consent consists of wastes listed in Annex IX to the Basel Convention supplemented by several other non-hazardous wastes. The second one (Annex IV to the EU Regulation 1013/2006 - Amber listed waste) containing wastes requiring notification and prior consent consists of wastes listed in Annex VIII to the Basel Convention supplemented by several other not necessarily hazardous wastes. Transboundary movements of all wastes (both hazardous and non-hazardous) destined for final disposal are either prohibited or subject to notification and prior consent.

**Estonia:** Definition exists

Hazardous waste is defined by § 6 and 8 of the Waste Act (2004). § 6. Hazardous waste "Hazardous waste" means waste which due to at least one of the hazardous properties set out in § 8 of this Act may cause a hazard to health, property or the environment. § 8. Hazardous properties of waste The hazardous properties on the basis of

which waste is considered hazardous are similar to the hazardous properties of: 1) H1- explosive substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene; 2) H2- oxidising substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances; 3) H3-A- highly flammable liquid substances and preparations having a flash point below 21°C (including extremely flammable liquids), or substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or gaseous substances and preparations which are flammable in air at normal pressure, or substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities; 4) H3-B- flammable liquid substances and preparations having a flash point equal to or greater than 21°C and less than or equal to 55°C; 5) H4- irritant non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membranes, may cause inflammation; 6) H5- harmful substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve health risks; 7) H6- toxic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks or death; 8) H7- carcinogenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence; 9) H8- corrosive substances and preparations which may destroy living tissue on contact; 10) H9- infectious substances containing micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms; 11) H10- teratogenic substances and preparations and substances and preparations toxic for reproduction which, if inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence; 12) H11- mutagenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence; 13) H12- substances and preparations which release toxic or very toxic gases in contact with water, air or an acid; 14) H13- substances and preparations capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the properties listed in clauses 1) -13) of this section; 15) H14- substances and preparations which are ecotoxic or dangerous for the environment and present or may present immediate or delayed risks for one or more sectors of the environment.

**Georgia:** Definition in preparation

Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

**Hungary:** Definition exists

Hazardous waste shall mean waste displaying one or more of the properties listed in Annex II to Act XLIII of 2000 and/or containing such substances or components hazardous to health and/or the environment because of its origin, composition or concentration. Otherwise the Environmental Ministerial Decree No. 16/2001 (VII.18) adopted the EWC codes and marked with \* the hazardous waste within this EWC list.

**Latvia:** Definition exists

"Hazardous waste- waste which has one or more characteristics which makes it hazardous to human life and health, the environment, or the property of persons, and which conforms to a hazardous waste category specified in the waste classification."(Waste Management Law, Art.4.1)

**Poland:** Definition exists

In the light of the Act on Waste of 27 April 2001 (came into force in October 2001), "hazardous waste" shall mean waste: 1) belonging to the categories or types of waste featuring in List A in Annex II to this Act and displaying at least one of the properties enumerated in Annex IV to this Act; or 2) belonging to the categories or types of waste featuring in List B in Annex 2 to this Act, containing any of the constituents enumerated in Annex 3 and displaying at least one of the properties enumerated in Annex IV to this Act. Annex II features categories or types of hazardous waste. Annex III features constituents of wastes which render them hazardous. The minister responsible for the environment laid down the ordinance on the waste catalogue (O.J.of 2001, No.112, Item 1206). The new national list of hazardous waste is a part of waste catalogue. New waste classification is consistent with EU classification.

**Republic of Moldova:** Definition does not exist

Definition from EU Directives is used. Hazardous waste - waste which has one or more of the properties listed in List A (Annex 1 to Regulation on the control of transboundary movements of waste and their disposal).

**Romania:** Definition does not exist

In Romania there is no national definition of hazardous waste used specially for the purposes of transboundary movements (see 2 a). The Basel Convention definition of the hazardous waste is used.

**Slovakia:** Definition exists

According to the Act No. 223/2001 Coll. of Laws on waste and on amendment of certain acts as amended - hazardous waste shall mean waste featuring one or several hazardous characteristics listed in Annex 4 Hazardous characteristics of wastes (H codes). The Annex 4 is equal to the Annex 3 of the EU Directive 91/689/EEC. The Decree No 284/2001 Coll. of Laws enacting Waste Catalogue as amended by subsequent regulations harmonized

with European Waste Catalogue distinguishes two waste categories: - non-hazardous; - hazardous. The annex 2 of this Decree refers to the Basel Convention list of hazardous waste characteristics (H codes). Hazardous wastes are considered wastes: a) Listed in Annex VIII to the Basel Convention; b) Designated as hazardous in the Waste Catalogue; c) Included in the Amber List of Wastes, or included in the Red List of Wastes; and d) Listed in Annex IX to the Basel Convention and containing substances listed in Annex I to the Basel Convention within a scope causing the occurrence of dangerous properties listed in Annex III to the Basel Convention. The annex I of the Basel Convention is used for identification of hazardous wastes in the reporting.

**Slovenia: Definition exists**

According to Rules on Waste Management (1998) as amended definition of hazardous waste is: Hazardous waste shall be deemed to be waste marked with asteriks next to the classification number of waste in the classification list of wastes\*\*. Hazardous wastes are classified to the list of wastes from the previous paragraph on the basis of Annex 2A\*\*\* to these Rules. It shall be deemed that the hazardous waste has one or more of the hazardous properties from Annex 3 to these Rules. Definition is in line with Council Directive 91/689/EEC on hazardous waste as amended. With regard to transboundary movements of wastes applies Regulation (EC) 1013/2006. \*\*in line with the list of wastes established pursuant to Article 1(1)(a) of Council Directive 2006/12/EC (75/442/EEC) on waste and Article 1(4) of Council Directive 91/689/EEC on hazardous waste - Commission Decision 2000/532/ES . \*\*\*Annex 2A consists of Part 1: List of groups and general types of hazardous wastes and Part 2: List of constituents of wastes which render them hazardous if they possess also hazardous properties from Annex 3. It is in line with the Annex I (Categories or Generic types of hazardous waste listed according to their nature or activity which generated them) and Annex II (Constituents of wastes in Annex IB which render them hazardous when they have properties described) of Council Directive 91/689/EEC on hazardous waste.

---

**Question 2b. National Definition of Hazardous waste****2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

---

**Barbados:** Definition does not exist

There is no legal definition of hazardous waste. Shipments of hazardous waste materials however, are shipped in accordance with procedures and guidelines established under the Basel Convention. However, a definition is proposed in the revised "Policy Paper: Management of Toxic Chemicals and Hazardous Waste." Hazardous waste means waste that has one or more of the following properties: 1. has flashpoint of less than 61°C; 2. ignites and propagates combustion in a test sample; 3. at a rate that is equal to or greater than that provided by ammonium persulfate, potassium perchlorate or potassium bromate; 4. the pH value is less than 2.0 or greater than 12.5; 5. it contains polychlorinated biphenyls at a concentration equal to or greater than 50mg/kg; 6. its leachate contains any substance listed in Table 2 in excess of the concentrations listed; and 7. it contains any of the following substances in a concentration greater than 0.001mg/L: Hexachloro-dibenzo-p-dioxins, Pentachloro-dibenzo-p-dioxins, Tetrachloro-dibenzo-p-dioxins, Hexachloro-dibenzofurans, Pentachloro-dibenzofurans, Tetrachloro-dibenzofurans. "Special wastes" are non-hazardous wastes that require special handling and disposal procedures. These would include, for example: gasoline contaminated soil and wastes from international flights or ports.

**Belize:** Definition in preparation

**Brazil:** Definition exists

Hazardous Waste - Class I - are those belonging to any category listed in the Annex 1-A to 1-C of the CONAMA Resolution no 23, from December 12, 1996, unless they do not present any characteristics listed in Annex II of the same legislation. Furthermore, the Brazilian legislation defines as 'hazardous' all wastes listed in Annex 10-A (Hazardous Wastes - Class I - Importation Prohibited) of the CONAMA Resolution no 235, from January 7, 1998, and as 'controlled' all the wastes listed in Annex 10-B (Non-Inert Wastes - Class II - Controlled by IBAMA) of the Resolution.

**Chile:** Definition exists

En junio de 2005 entró en vigencia el Reglamento Sanitario de Manejo de Residuos Peligrosos, el cual define que los residuos son considerados como peligrosos. Esta nueva definición ya fue notificada a la Secretaría del Convenio.

**Colombia:** Definition exists

According to National Decree No. 4741 of 2005, art 3, hazardous waste is defined as a waste or disposal that because of its corrosive, reactive, explosive, toxic, flammable, infectious or radioactive properties may cause danger or risk for human health and the environment. In the same way, vessels, packages and other containers that have been in contact with such substances,.

**Costa Rica:** Definition exists

Hazardous waste are all solids, liquids, and semisolids substances located in containers, due to its chemical reactivity, toxic, explosive, radioactive, comburents, flammable, irritant, corrosive, or comburent or other characteristics like theratogenic, mutagenic, carcinogenic or neurotoxic, that could produce damage to human health or the natural environment.

**Cuba:** Definition does not exist

**Dominican Republic:** Definition exists

Hazardous Waste: Solid remainder or semisolid that by its toxic, reactive, corrosive, radioactive, inflammable, explosive or pathogenic characteristics raises a substantial risk, real or potential, to the human health or to environment. This definition is contemplated in our National Norm for the Environmental Management of remainders non dangerous that was edited in Santo Domingo, Dominican republic on June 2003 by the Secretary of State of Environment and Natural Resources (Pages 15).

**El Salvador:** Definition exists

Under the Environment Act, waste as well as hazardous waste are defined as "any material which is of no direct use or is permanently discarded and which, because of its chemical activity or its corrosive, reactive, inflammable, toxic, explosive, spontaneous combustion, oxidizing, infectious, bioaccumulative, ecotoxic or radioactive or other characteristics, cause danger or jeopardize human health or the environment, either per se or in contact with another waste material".

**Guyana:** Definition in preparation

But not related to Transboundary movement. As defined in the Environmental Protection Hazardous Waste Regulations 2000 "hazardous waste" means a waste or combination of wastes which, because of its quantity,

concentration or physical, chemical or infectious characteristics, may pose a substantial hazard to human health and belong to any category contained in Schedule I unless they do not contain any of characteristics contained in Schedule II and includes waste that is- (i) hazardous industrial waste; (ii) acute hazardous waste chemical; (iii) hazardous waste chemical; (iv) severely toxic waste; (v) flammable waste; (vi) corrosive waste; (vii) reactive waste; (viii) radioactive waste; (ix) clinical waste; or (x) leachate toxic waste, or polychlorinated biphenyl was,. And includes a mixture of acute hazardous waste chemical, hazardous waste chemical, pathological waste, radioactive waste or severely toxic wastes and any other waste or hazardous material; (f) "hazardous waste chemical" means a commercial waste chemical having a generic name specified in Schedule I.

**Honduras:** Definition in preparation

Definition given by the Basel Convention is in use.

**Jamaica:** Definition exists

Pursuant to the paragraph 2 of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement), "Hazardous waste" means - a) waste that belongs to any category contained in the First Schedule unless it does not possess any of the characteristics specified in the Third Schedule; b) waste which belongs to any category contained in the Second Schedule; and c) Such waste as the Minister, by order, may declare to be hazardous

**Mexico:** Definition exists

Hazardous waste: They are those that have some of the following characteristics: corrosively, reactivity, explosive, toxicity, inflammability, or that contains infectious agents that confers danger to them, as well as packages, containers, packing and soils that have been contaminated when they are transferred to another site, according with which it establishes the Law. Article 5 Fraction XXXII of the General Law of Prevention and Integral Management of Wastes.

**Paraguay:** Definition exists

Sustancia o elementos resultados de los procesos industriales y productos que han sido adquiridos y/o desechados y que por su características explosivas inflamables oxidantes, tóxicas, infecciosas, radioactivas, corrosivas, ect, que puedan causar riesgos presentes a futuros a la calidad de vida de los personas o afecta al suelo , la flora, la fauna, contaminar el aire, las aguas de manera tal que dañen la salud human o ambiental de nuestro país.

**Trinidad and Tobago:** Definition does not exist

Draft Waste Management Rules are being prepared by the competent authority, that is the Environmental Management Authority.

**Venezuela:** Definition exists

Hazardous waste: Simple or compound material in a solid, liquid or gaseous state which has hazardous properties or is composed of hazardous substances, whether or not it preserves its physical, chemical or biological properties, and for which no use is found with the result that a method of final disposal must be employed. The term includes receptacles containing or having contained such wastes. Recoverable hazardous material: Material which has hazardous characteristics but after serving a specific purpose still retains useful physical and chemical properties and therefore may be reused, recycled, regenerated or used for the same or another purpose. Hazardous Substances, Materials and Wastes Act, Ley Sobre Sustancias, Materiales y Desechos Peligrosos published in Official Gazette Extraordinary No. 5554 of 13 November 2001, and Decree 2635 containing the "Norms for the Control and Recovery of Hazardous Materials and the Management of Hazardous Wastes", published in the Official Gazette Extraordinary No. 5245 of 3 August 1998.

---

**Question 2b. National Definition of Hazardous waste****2006. Western Europe and Others. (Parties which did not report are not listed).**

---

**Andorra:** Definition does not exist

There is no definition of waste specifically related to the transboundary movements of hazardous waste but we have a definition in our national law "Llei 25/2004, del 14 de desembre, de residus", article 3. The following are defined in article 3 as hazardous waste: "Are considered hazardous waste: - that figuring in appendix I to the Basel Convention of 22 May 1989 in accordance with section 1a) or article 1 of this Convention; - that qualified as hazardous under community law and regulations; - that prescribed by the Government in the form of regulation.

**Australia:** Definition exists

Hazardous waste means: (a) waste prescribed by the regulations, where the waste has any of the characteristics mentioned in Annex III to the Basel Convention; or (b) wastes covered by paragraph 1(a) of Article 1 of the Basel Convention; or (c) household waste; or (d) residues arising from the incineration of household waste; but does not include wastes covered by paragraph 4 of Article 1 of the Basel Convention. Note 1: Section 4A provides for an extended meaning of hazardous waste. The extended meaning relates to the following matters: (a) a case where a foreign country has classified a particular substance or object as hazardous waste; (b) a case where a foreign country has classified waste collected from households as hazardous waste. Note 2: Section 4F provides for an extended meaning of hazardous waste. The extended meaning relates to substances or objects subject to notification or control under Article 11 arrangements.

**Austria:** Definition exists

The definition of hazardous waste is laid down in the Ordinance on a Waste Catalogue (Fed. Law Gaz. II 2003/570, as amended by Fed. Law Gaz. II 2005/89). The text can be obtained via Internet: <http://www.lebensministerium.at/article/articleview/32254/1/6969/>

**Belgium:** Definition exists

In Belgium the definition of waste and hazardous waste is in accordance with the European Law. With regard to transboundary movements of wastes the Council Regulation (EEC) N° 259/93 is applied.

**Canada:** Definition exists

In Canada, the definition of hazardous waste and of hazardous recyclable material for the purposes of controlling transboundary movements destined for final disposal or recycling is set out in the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR). These Regulations came into force on November 1st, 2005 and replaced the former Export and Import of Hazardous Wastes Regulations (EIHWWR) of 1992. In order to meet this definition, a hazardous waste or hazardous recyclable material must be intended for a listed disposal or recycling operation and either be found on a series of lists comprised of substances and mixtures, or meet one of the hazard class characteristics (set out in Annex A of this Notification). Specific testing, criteria and protocols exist in the Canadian Transportation of Dangerous Goods Regulations (TDGR) for the following hazard classes (which in most cases are analogous to the Basel Annex III characteristic identified): substances that are gases or aerosols, flammable liquids (H3), flammable solids (H4.1), liable to spontaneous combustion (H4.2), emit flammable gases in contact with water (H4.3), oxidizing (H5.1), organic peroxides (H5.2), poisonous (H6.1), infectious (H6.2), corrosive (H8), hazardous to the environment (H12), leachate toxic (H13), or are otherwise designated as hazardous. Those substances which are explosive (H1) or radioactive are excluded from the definition for waste and are controlled under other Canadian federal legislation such as the Canadian Explosives Act (<http://laws.justice.gc.ca/en/E-17/index.html>) and Canadian Explosives Regulations (<http://laws.justice.gc.ca/en/showtdm/cr/C.R.C.-c.599/?showtoc=&instrumentnumber=C.R.C.-c.599>), and the Nuclear Safety and Control Act (<http://lois.justice.gc.ca/en/N-28.3/>). Finally, the EIHWHRMR define as hazardous for the purpose of export from Canada, any waste for which Canada has received information from the United States or in accordance with the Convention, that is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that Country from being imported or conveyed in transit. Definition of "hazardous waste" 1. (1) In Division 8 of Part 7 and Part 10 of the Act and in these Regulations, "hazardous waste" means anything that is intended to be disposed of using one of the operations set out in Schedule 1 and that (a) is set out in column 2 of Schedule 3; (b) is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations; (c) is set out in column 2 of Schedule 4 and is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations; (d) is set out in column 1 of Schedule 5 in a concentration equal to or greater than the applicable concentration set out in column 2 of that Schedule; (e) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3; (f) is set out in column 2 of Schedule 7, is pure or is the only active ingredient, and is unused; or (g) according to information that Canada has received from the United States or in accordance with the Convention, is considered or defined as hazardous under the legislation of the country receiving it and is

prohibited by that country from being imported or conveyed in transit. Exclusion (2) The definition "hazardous waste" in subsection (1) does not include anything that is (a) exported, imported or conveyed in transit in a quantity of less than 5 kg or 5 L per shipment or, in the case of mercury, in a quantity of less than 50 ml per shipment, other than anything that is included in Class 6.2 of the Transportation of Dangerous Goods Regulations; (b) collected from households in the course of regular municipal waste collection services; or (c) part of the exporter's or importer's personal effects or household effects not resulting from commercial use. Definition of "hazardous recyclable material" 2. (1) In Division 8 of Part 7 and Part 10 of the Act and in these Regulations, "hazardous recyclable material" means anything that is intended to be recycled using one of the operations set out in Schedule 2 and that (a) is set out in column 2 of Schedule 3; (b) is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations; (c) is set out in column 2 of Schedule 4 and is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations; (d) is set out in column 1 of Schedule 5 in a concentration equal to or greater than the applicable concentration set out in column 2 of that Schedule; (e) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3; (f) is set out in column 2 of Schedule 7, is pure or is the only active ingredient, and is unused; or (g) according to information that Canada has received from the United States or in accordance with the Convention, is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit. Exclusion (2) The definition "hazardous recyclable material" in subsection (1) does not include anything that is (a) exported, imported or conveyed in transit in a quantity of less than 5 kg or 5 L per shipment or, in the case of mercury, in a quantity of less than 50 mL per shipment, other than anything that is included in Class 6.2 of the Transportation of Dangerous Goods Regulations; (b) collected from households in the course of regular municipal waste collection services; (c) part of the exporter's or importer's personal effects or household effects not resulting from commercial use; (d) exported to, imported from, or conveyed in transit through a country that is a party to OECD Decision C(2001)107/Final and that (i) is in a quantity of 25 kg or 25 L or less, (ii) is exported or imported for the purpose of conducting measurements, tests or research with respect to the recycling of that material, (iii) is accompanied by a shipping document, as defined in section 1.4 of the Transportation of Dangerous Goods Regulations, that includes the name and address of the exporter or importer and the words "test samples" or échantillons d'épreuve, and (iv) is not and does not contain an infectious substance as defined in section 1.4 of the Transportation of Dangerous Goods Regulations; or (e) exported to, imported from, or conveyed in transit through a country that is a party to OECD Decision C(2001)107/Final and that (i) is set out in Schedule 8, (ii) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3, and (iii) is intended to be recycled at an authorized facility in the country of import using one of the operations set out in Schedule 2. You can also refer to one of the following links for Canada's definitions of Hazardous waste and Hazardous wastes recyclables and their related schedules <http://www.basel.int/natdef/03e-canada.pdf> <http://laws.justice.gc.ca/en/showdoc/cr/SOR-2005-149/sc:1/en> <http://canadagazette.gc.ca/partII/2005/20050601/html/sor149-e.html> Furthermore, in Canada, each province and territory defines hazardous wastes within their jurisdiction and for the licensing or certification of authorized facilities. These definitions include requirements for both disposal and recycling. Information regarding definitions for each province and territory can be found at <http://www.ec.gc.ca/wmd-dgd/default.asp?lang=En&n=7DA57C1E-1>

**Denmark:** Definition exists

According to the Danish Statutory Order of Waste no 1634 Hazardous waste shall mean waste featuring on the list of waste in Appendix 2 and marked as hazardous waste and which complies with the criteria mentioned in Appendices 3 and 4, as well as waste which complies with the criteria mentioned in Appendices 3 and 4.

**Finland:** Definition exists

According to the Waste Act (1072/1993) hazardous waste shall mean any waste which may cause particular harm to health or the environment because of its chemical or some other property. The waste definition is further defined in the Waste Decree (1390/1993). According to it, hazardous waste shall mean any waste listed in Annexes 2 (classes of hazardous wastes, 40 items) and 3 (substances according to which wastes are classified hazardous, C-list, 51 items) of the Decree if they are referred to as hazardous waste in the list of the most common waste and hazardous wastes (Ministry of the Environment Decree 1129/2001). The Annexes 2-4 of the Waste Decree are in accordance with the Annexes I, II and III of the Council Directive of the European Communities on hazardous waste (91/689/EEC), respectively, and the above-mentioned list of wastes and hazardous wastes is based on the respective EC legislation.

**Germany:** Status not provided

In Germany hazardous wastes are defined in accordance with the EU Directive on Hazardous Waste (91/689/EEC) as amended. Article 1(4) reads: "For the purpose of this Directive "hazardous waste" means wastes featuring on a list to be drawn up ..... on the basis of Annexes I and II to this Directive,.....These wastes must have one or more of the properties listed in Annex III. The list shall take into account the origin and composition of

the waste and, where necessary, limit values of concentration.....It is noted that Annex I.B and Annex II of this EU Directive are different from Annex I and Annex III of the Basel Convention and contain additional wastes as follows: ANNEX I.B - Wastes which contain any of the constituents listed in Annex II and having any of the properties listed in Annex III and consisting of: 19. Animal or vegetable soaps, fats, waxes 21. Inorganic substances without metals or metal compounds 22. Ashes and/or cinders 23. Soil, sand, clay including dredging spoils 24. Non-cyanidic tempering salts 25. Metallic dust, powder 26. Spent catalyst materials 27. Liquids or sludges containing metals or metal compounds 28. Residue from pollution control operations (e.g. baghouse dusts, etc.) 29. Scrubber sludges 30. Sludges from water purification plants 31. Decarbonization residue 32. Ion-exchange column residue 33. Sewage sludges, untreated or unsuitable for use in agriculture 34. Residue from cleaning of tanks and/or equipment 35. Contaminated equipment 36. Contaminated containers (e.g. packaging, gas cylinders, etc.) 37. Batteries and other electrical cells 38. Vegetable oils 39. Materials resulting from selective waste collections from households 40. Any other wastes Annex II - Wastes having as constituents: C2 Vanadium compounds C4 Cobalt compounds C5 Nickel compounds C10 Silver compounds C15 Barium compounds C12 Tin compounds C19 Inorganic sulphides C22 Lithium, sodium, potassium, calcium, magnesium in uncombined form C28 Peroxides C29 Chlorates C30 Perchlorates C31 Azides C35 Infectious substances (partly covered by BC) C36 Creosotes (partly covered by BC) C37 Isocyanates; thiocyanates C43 Aromatic compounds; polycyclic and heterocyclic organic compounds C44 Aliphatic amines C45 Aromatic amine C48 Sulphur organic compounds C51 Other hydrocarbons and their oxygen; nitrogen and/or sulphur compounds It is also noted that Annex III of EU Directive 91/689/EEC is partly different from Annex III of the Basel Convention. Through EU Decision 2000/532/EC as amended a list of waste as refer to the definition above has been established. The list has been implemented in Germany by the Waste List Ordinance which entered into force on 1 January 2001. Wastes classified as hazardous are considered to display one or more of the properties listed in Annex III of EU Directive 91/689/EEC and, as regards H3 to H8, H10 and H11 of the said Annex, one or more of the following characteristics: - flash point = 55 °C, - one or more substances classified as very toxic at a total concentration = 0,1 %, - one or more substances classified as toxic at a total concentration = 3 %, - one or more substances classified as harmful at a total concentration = 25 %, - one or more corrosive substances classified as R35 at a total concentration = 1 %, - one or more corrosive substances classified as R34 at a total concentration = 5 %, - one or more irritant substances classified as R41 at a total concentration = 10 %, - one or more irritant substances classified as R36, R37, R38 at a total concentration = 20 %, - one substance known to be carcinogenic of category 1 or 2 at a concentration = 0,1 %, - one substance known to be carcinogenic of category 3 at a concentration = 1 % - one substance toxic for reproduction of category 1 or 2 classified as R60, R61 at a concentration = 0,5 %, - one substance toxic for reproduction of category 3 classified as R62, R63 at a concentration = 5 %, - one mutagenic substance of category 1 or 2 classified as R46 at a concentration = 0,1 %, - one mutagenic substance of category 3 classified as R 40 at a concentration = 1 %. The classification as well as the R numbers refer to EU Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labeling of dangerous substances as amended. The concentration limits refer to those laid down in EU Council Directive 88/379/EEC on the approximation of the laws, regulations and administrative provisions of the EU Member States relating to the classification, packaging and labeling of dangerous preparations as amended.

**Greece:** Definition exists

"Hazardous Waste" is defined in Directive 91/689/EEC, as amended and implemented in national law (Common Ministerial Decision 13588/725/2006, Article 2, paragraph 2), as follows: "Substance or object that is included in Annex I ("European Waste Catalogue", as included in Common Ministerial Decision 13588/725/2006) or has one or more properties listed in Annex II (Annex III of 91/689/EEC Directive), which the holder discards or intends or is required to discard"

**Ireland:** Definition exists

Section 4(2)(a) of the Waste Management Act, 1996, as amended defines hazardous waste to mean a waste specified in the European Waste Catalogue/ Hazardous Waste List (EWC/HWL), which has one or more hazardous properties specified in the Second Schedule of the Act. The Minister for the Environment, Heritage and Local Government may prescribe a waste which is not specified in the HWL if it has one or more hazardous properties specified in the Second Schedule of the Act.

**Italy:** Definition exists

The general definition of hazardous waste is set by the DLGS No 152/2006 adopting the Council Directive 91/689/EEC. For the purpose of transboundary movements, the lists of Council Regulation 259/93 are adopted.

**Luxembourg:** Definition exists

The definition of hazardous waste is in accordance with the directive 91/689/CEE. The Commission Decision 2000/532/CE was adopted.

**Monaco:** Definition does not exist

However, several legal texts concerning the management of wastes highlight the character of hazardousness of certain categories of wastes which are collected in selective manner and managed adequately. However, in all events the Basel Convention's definitions are applicable to all services concerned.

**Netherlands:** Definition exists

For the purpose of transfrontier movement of waste, the Netherlands uses the EC definition of hazardous waste.

**New Zealand: Definition exists**

The definition of hazardous waste is specified in the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at [www.legislation.govt.nz](http://www.legislation.govt.nz). "hazardous waste" means any waste that - (a) either - (i) falls into 1 of the categories of waste specified in Part 1 of Schedule 3; or (ii) has as a constituent any substance specified in Part 2 of Schedule 3; and (b) has any of the hazardous characteristics specified in Part 3 of Schedule 3.

**Norway: Definition exists**

According to that regulation the Norwegian regulation on waste, art. 11-3, "hazardous waste means waste that cannot be treated appropriately together with other household waste because it may cause serious pollution or involve a risk of injury to people and animals." An unofficial translation of the Waste regulation may be found at [http://www.sft.no/seksjonsartikkel\\_\\_\\_\\_30216.aspx](http://www.sft.no/seksjonsartikkel____30216.aspx).

**Sweden: Definition exists**

In the Waste Ordinance (SFS 2001:1063) hazardous waste is waste that is marked with an asterisk in annex 2 of the Ordinance or any other waste that exhibits one or more of the characteristics that are mentioned in annex 3 of the Ordinance. Annex 2 is the List of Wastes and annex 3 is the List of characteristics that render wastes hazardous wastes.

**Turkey: Definition exists**

According to the By-Law on Control of Hazardous Waste published in the official paper of 14 March 2005 (No. 25755), hazardous wastes are those wastes deemed within the scope of Annex I and II of the Basel Convention and having one or several of the hazardous characteristics included and/or specified within Annex III of the Convention, and materials polluted by these wastes. Under Turkish Regulation, hazardous wastes lists performed according to the (i) Reasons why materials are intended for disposal, (ii) Disposal operations, (iii) List of hazardous characteristics and (iv) Constituents of potentially hazardous wastes. Medical waste, gypsum, waste oils, ashes from incineration plants, used batteries and accumulators, mining waste, used tires and slaughterhouse waste are defined as "special wastes" according to the Turkish legislation. These wastes of which some are generated in huge quantities (especially gypsum and ashes), of which are hazardous and some are not. Therefore special treatments are necessary to dispose of these wastes. Draft Regulations on used tires, end of life vehicle, waste electric and electronic equipment and ashes from incineration plants have been prepared.

**United Kingdom of Great Britain and Northern Ireland: Definition exists**

Council Regulation (EC) No 1013/2006 on shipments of waste ('the WSR') which applies from 12 July 2007 provides the means for supervising and controlling shipments of waste within, into and out of the EC. The WSR is the means by which the UK and other EU Member States implement the Basel Convention and OECD Decision C (2001)107/FINAL. On the 14 June 2001, the OECD Council amended the OECD Decision C(92)39/FINAL. In order to implement that amendment in community legislation, a revision of the old Waste Shipment Regulation 259/93 EEC was necessary. While the WSR does not include a definition of "hazardous waste", wastes listed in Annex IV and certain ones in Annex V of the WSR are controlled as hazardous. All shipments of hazardous and non-hazardous waste for disposal are subject to hazardous waste control procedures. Shipments outside the OECD are controlled subject to the rules in relation to Annex V of the WSR, and a separate European Commission regulation which is to be adopted.

---

**Question 2c. Article 1(1)b wastes****2006. Africa. (Parties which did not report are not listed).**

---

**Algeria:** Art. 1(1)b waste exists

Another definition exist to hazardous wastes in the article 03 of Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes: Special wastes: any wastes issued from industrial, agricultural, surgery, service activities and all other activities that in reason of their nature and the composition of their elements cannot be collected, transported and treated within the same conditions as the housing wastes, assimilated and inert. Special hazardous wastes: any wastes that in reason of its constitution or their characteristics of the noxiousness of their matters could be harmful on the public health and or environment.

**Botswana:** Art. 1(1)b waste does not exist

**Cameroon:** Art. 1(1)b waste does not exist

**Gambia:** Art. 1(1)b waste list under preparation  
These wastes are yet to be determined.

**Ghana:** Art. 1(1)b waste does not exist

**Lesotho:** Art. 1(1)b waste does not exist

**Madagascar:** Art. 1(1)b waste exists

Déchets contenant des éléments radioactifs et amiante Déchets encombrant (vieux réfrigérateurs, vieilles carcasses de voitures, ferraille, tout bien meuble abandonné,...)

**Mali:** Art. 1(1)b waste does not exist

**Morocco:** Art. 1(1)b waste exists

"En effet, la loi sur la protection et la mise en valeur de l'environnement en vigueur depuis 2003 définit les déchets dangereux comme toutes formes de déchets qui, par leur nature dangereuse, toxique, réactive, explosive, inflammable, biologique ou bactérienne, sont susceptibles de constituer un danger pour l'équilibre écologique tel que fixé par les normes internationales dans ce domaine ou contenu dans les annexes complémentaires qui seront fixées par voie réglementaire. La loi 28-00 sur la gestion et l'élimination de déchets, réglemente dans son chapitre VI le mouvement transfrontière des déchets ainsi la liste nationale de déchets dangereux est en cours d'élaboration. Le Maroc ne dispose pas encore d'une liste nationale de déchets dangereux: nous utilisons les listes de la Convention de Bâle et celles de l'Union Européenne".

**Mozambique:** Art. 1(1)b waste does not exist

**Nigeria:** Art. 1(1)b waste does not exist

**Seychelles:** Art. 1(1)b waste exists

Internally there are certain wastes such as phytosanitary wastes for certain plant diseases that require strict control over their movement. If these are shipped across frontiers they shall be subject to controls similar to that applied under the Convention.

**South Africa:** Art. 1(1)b waste exists

Vanadium waste, this could possibly fall under (H13).

**Tunisia:** Art. 1(1)b waste exists

Wastes included in the Tunisian definition of hazardous wastes that are in addition to those defined under Art. 1 (1) a of the Basel convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Zambia:** Art. 1(1)b waste exists

Schedule 4 (Regulation 3), Schedule 5 (Regulation 3), Schedule 6 of the Hazardous Waste Management Regulations, 2001, provides a list of hazardous waste, list of hazardous characteristics (Annex III of the Basel

Convention) and categories of wastes to be controlled (Annex I of the Basel Convention) respectively.

---

**Question 2c. Article 1(1)b wastes****2006. Asia and Pacific. (Parties which did not report are not listed).**

---

**Bahrain:** Art. 1(1)b waste does not exist

**Brunei Darussalam:** Art. 1(1)b waste list under preparation

The control of additional wastes as hazardous that are not included in Art. 1(1)a of the Basel Convention and would be controlled for the purpose of Transboundary movements pursuant to Art. (1) will be prepared in the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Art. 1(1)b waste exists

Cambodia is in the process of amending the list of wastes annexed to its hazardous waste sub-decree.

**China:** Art. 1(1)b waste exists

China Nickel compound waste (code: HW46; source of the waste: wastes of nickel compound; reactionary residue and unqualified products from the production; overdue nickel catalysts; nickel residue and tank liquid from the electroplating process; waste nickel compounds from analysis, chemical examination and testing). Barium compound waste (code: HW47; source of the waste: wastes of barium compounds excluding barium sulfate; reactionary residue and unqualified products from the production of barium compound; salt bath residue from the heat treatment process; wasted barium compound from analysis, chemical examination and testing).

**Cyprus:** Art. 1(1)b waste does not exist

**Indonesia:** Art. 1(1)b waste exists

The Government Regulation No. 85/1999 regarding Hazardous Waste Management lists these wastes: Table 1: List of hazardous waste from non-specific sources; Table 2: List of hazardous waste from specific sources; and Table 3: List of hazardous waste from overdue chemicals that are expired, spilled package residue or off-specific action products. These lists are available on the Basel Convention website ([www.basel.int](http://www.basel.int))

**Iran (Islamic Republic of):** Art. 1(1)b waste does not exist

**Japan:** Art. 1(1)b waste does not exist

Japan regulates/controls only wastes included in Art.1 (1)a of the Basel Convention for the purpose of transboundary movements of hazardous wastes under the Basel Convention.

**Kazakhstan:** Art. 1(1)b waste does not exist

The Groups controlled wastes, specified in Item 311. "Transboundary transportation wastes of Ecological Code, residing on stage of consideration in Parliament RK, identical group, specified in Application 1 Basel convention, with the exclusion of wastes, possessing some characteristic, transferred in application III Basel convention Kazakhstan possesses the significant resource to oils, natural gas, coal, iron ore, manganese, ore of chromium, nickel, cobalt, honeys, molybdenum, lead, zinc, bauxite, gild and Uranus. The Industrial sector Kazakhstan rests in mining and processing these natural wealth and also on increasing development of the machine-building sector, specialize in building equipments, ore-mining of the equipment, machine building and agricultural equipment. Each of specified branches, including heat-and-power engineering, is a source enormous amount wastes. The Problems of the environment pollution ion particularly serious around town and industrial centre, where acting blanker of the sewages are solved not on all amounts, in the same way either as problems solid everyday wastes. Kazakhstan subject to air environment pollution ion, desertification, and soiling the water ambience. The Problem of the nuclear waste also serious for Kazakhstan, since there is big amount perfected and under development uranium ore deposits, as well as because of nucleus test called on in East Kazakhstan. There are problems with dug spare outdated on territory Kazakhstan pesticides and agricultural pesticide, exact amount which unknown. The Much industrial wastes pertain to history i.e. dug as far back as past century. The Question about address with wastes in Kazakhstan has got its legislative development at the last years only. In this connection soph need to conduct get fat inventory and certification all industrial wastes with revision, what of them will be adjusted Basel Convention.

**Kiribati:** Art. 1(1)b waste exists

Radioactive wastes are regulated through the Waigani Convention which prevents forum members from importing wastes for disposal. The Waigani Convention does not address the transit of radioactive wastes, rather it seeks that Forum members give active consideration to the implementation of the IAEA Code of Practice on the International Transboundary Movement of radioactive Wastes. There is at this time no national legislation in place to address this issue however further consideration is being given to the need to address such issues.

**Malaysia:** Art. 1(1)b waste exists

These wastes are: slags from copper processing; oil tanker sludges; waste catalysts; and waste gypsum arising from power plant. Import of waste from European Community will be considered as Amber List. The lists are as follows: (a) GA. Metal and metal-alloy waste in metallic, non-dispersible form GA 150 7802 00 Lead waste and scrap GA 240 ex8107 10 Cadmium waste and scrap (b) GG. Other wastes containing principally inorganic constituents, which may contain metal and organic materials GG 010, GG 020, GG 030, GG 040, GG 100, GG 110, GG 140 (c) GH. Solid plastic wastes All categories of plastic wastes (d) GJ. Textile wastes All categories of textile wastes (e) GK. Rubber wastes All categories of rubber wastes (f) GM. Waste arising from agro-food industries All categories (g) GN. Waste arising from tanning and fellmongery operations and leather use All categories (h) GO. Other wastes GO 010, GO 020, GO 030, GO 050 The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Pakistan:** Art. 1(1)b waste does not exist**Republic of Korea:** Art. 1(1)b waste exists

The Amber Tier wastes determined by OECD are additionally controlled for the purpose of transboundary movement.

**Singapore:** Art. 1(1)b waste does not exist**Sri Lanka:** Art. 1(1)b waste exists

Radioactive wastes are controlled as hazardous.

**Viet Nam:** Art. 1(1)b waste exists

The List of Hazardous Waste issued by Decision No. 23/2006/QĐ-BTNMT dated 26 December 2006 of Minister of Natural Resources and Environment is setup with different approach from List A of Basel Convention.

---

**Question 2c. Article 1(1)b wastes**

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

---

**Armenia:** Art. 1(1)b waste does not exist

**Belarus:** Art. 1(1)b waste exists

Appendix 1 to the Resolution of State Custom Committee "On Improvement of Custom Control over Waste Movement through Custom Border of the Republic of Belarus" (of 12.03.1999 N 134-OD) provides a "List of Industrial and Consumption Wastes, which can not be processed or used in the Republic of Belarus"; Appendix 2 to the Resolution of State Custom Committee "On Improvement of Custom Control over Waste Movement through Custom Border of the Republic of Belarus" (of 12.03.1999 N 134-OD) provides a "List of Industrial and Consumption Wastes, which can be processed or used in the Republic of Belarus, permits for their import (transit) are given by the Ministry of Natural Resources and Environmental Protection." (Appendices 1 and 2 are available in Country Fact Sheet (Belarus) prepared by the secretariat) The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Bosnia & Herzegovina:** Art. 1(1)b waste does not exist

**Croatia:** Art. 1(1)b waste does not exist

**Czech Republic:** Art. 1(1)b waste exists

Czech Republic regulates/controls for the purpose of transboundary movements additional wastes as hazardous pursuant to Article 1(1)b of the Basel Convention. Hazardous wastes in the EU are governed by Council Directive 91/689/EEC. The EU list of properties of waste which render them hazardous is broader than the list of hazardous characteristics contained in Annex III to the Basel Convention. It contains e.g. irritant, harmful, teratogenic or mutagenic wastes. The EU list of hazardous wastes has been drawn up on the basis of the categories or generic types of hazardous waste listed in Annex I to the Directive and the constituents of wastes which render them hazardous listed in Annex II to the Directive. Both the list of categories and the list of constituents are broader than Annex I to the Basel Convention. By the EU definition of hazardous waste more wastes is covered in comparison with wastes covered by Article 1(1)a of the Basel Convention. Consequently transboundary movements of additional wastes are regulated. Due to structural differences between the List of hazardous wastes and Annex I to the Basel Convention it is not possible to specify the additional wastes in detail. Additional categories or generic types of waste: Animal and vegetable soaps, fats, waxes Inorganic substances without metals or metal compounds Ashes and/or cinders Soil, sand, clay including dredging spoils Non-cyanidic tempering salts Metallic dust, powder Spent catalyst materials Liquids or sludges containing metals or metal compounds Residue from pollution control operation (e.g. baghouse dusts, etc.) Scrubber sludges Sludges from water purification plants Decarbonisation residue Ion-exchange column residue Sewage sludges, untreated or unusable for use in agriculture Residue from cleaning of tanks and/or equipment Contaminated equipment Contaminated containers (e.g. packaging, gas cylinders, etc.) Batteries and other electrical cells Vegetable oils Materials resulting from selective waste collections from households Additional constituents of wastes which render them hazardous: Vanadium compounds Cobalt compounds Nickel compounds Silver compounds Tin compounds Barium compounds Inorganic sulphides Lithium, sodium, potassium, calcium, magnesium in uncombined form Peroxides Chlorates Perchlorates Azides Infections substances (partly covered by the Basel Convention) Creosotes (partly covered by the Basel Convention) Isocyanates, thiocyanates Aromatic compounds, polycyclic and heterocyclic organic compounds Aliphatic amines Aromatic amines Sulphur organic compounds Hydrocarbons and their oxygen, nitrogen and/or sulphur compounds

**Estonia:** Art. 1(1)b waste exists

The list of hazardous waste is defined in the EU by the Directive on Hazardous Waste (91/689/EEC) and Commission Decision 2000/532/EC on a list of wastes. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Georgia:** Art. 1(1)b waste exists

**Hungary:** Art. 1(1)b waste exists

Here in Hungary we use the EWC of EU. In our understanding the EWC\* hazardous waste list contain 107 waste codes which are not compatible with Y codes of Basel Convention. As mentioned under question 2b of the Questionnaire on "Transmission of Information", hazardous waste definition was completed by adaptation of European Waste Catalog specification with a marking that EWC is more or less different as former Hungarian Hazardous Waste list. These conditions need to be taken into account when looking at earlier data in Table 8A and

## Table 8B.

**Latvia:** Art. 1(1)b waste does not exist

**Poland:** Art. 1(1)b waste exists

National list of hazardous waste is defined in the ordinance of the Minister of Environment on the waste catalogue (O.J of 2001, No.112, Item 1206). Catalogue is based on European Waste List. Waste are divided into 20 groups. Catalogue defines groups, subgroups, types of waste and their codes (six figures). Two first figures mean the source of generation, two next figures describe subgroup of waste and the whole six figures codes means type of waste. Hazardous waste are marked on the list with asterisk. Polish national list of hazardous waste covers all types of hazardous waste stipulated in European Waste Catalogue and additionally covers the below mentioned waste which are consider hazardous under national legislation: 01 03 80\* Tailings from enrichment by flotation of non-iron metal ores that contain hazardous substances 01 04 80\* Tailings from enrichment by flotation of coal that contain hazardous substances 01 04 82\* Tailings from enrichment by flotation of sulfide ores that contain hazardous substances 01 04 84\* Tailings from enrichment by flotation of phosphoric ores (phosphorites, apatites) that contain hazardous substances 02 01 80\* Dead animals and animals slaughtered out of necessity as well as animal tissue waste, that exhibit hazardous properties 02 02 80\* Animal tissue waste that exhibits hazardous properties 03 01 80\* Waste from chemical processing of wood that contain hazardous substances 05 06 80\* Liquid wastes that contain phenols 07 04 80\* Expired plant protection agents, toxicity class I and II (highly toxic and toxic) 07 05 80\* Liquid wastes containing hazardous substances 09 01 80\* Expired photography reagents 10 11 81\* Azbestos-containing waste 16 81 Waste resulting from accidents and unplanned events 16 81 01 \* Wastes exhibiting hazardous properties 16 82 Waste resulting from natural disasters 16 82 01 \* Wastes exhibiting hazardous properties 18 01 80\* Used therapeutic baths, biologically active, with infectious capability 18 01 82\* Food remains from feeding patients residing in infectious unit The national definition of hazardous waste covers also wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Republic of Moldova:** Art. 1(1)b waste does not exist

**Romania:** Art. 1(1)b waste does not exist

**Slovakia:** Art. 1(1)b waste exists

The national Waste Catalogue covers all types of hazardous waste listed in the European Waste Catalogue. There are marked with the letter "N". A waste codes ending with two digits "99" (wastes not otherwise specified) have no category. Waste holders classify their waste and eliminate unjustified waste classification into the category non-hazardous in the case, when the composition of the waste is adequately defined and based on its composition it is possible to classify this waste explicitly as hazardous one. According to the first digits of the waste code a source of generation can be identified and than to address the waste a relevant code listed in Annexes I, II, and VIII. In some cases it is not easy to address relevant Y code to a specific code considering the range of Y codes listed in the Annex 1. On the other hand sometimes it is possible to address one or more Y codes according to the Annex 1 of the Basel Convention to one code of hazardous waste listed in the EU-waste list. The national definition of hazardous waste covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>). Since 1st May 2004 the transboundary movements of wastes is governed by Council Regulation No 259/93/EC on the supervision and control of shipments of waste within, into and out of the European Community as amended by subsequent regulations and the Treaty of Accession of the SR to the EU. Based on the Treaty of Accession of the SR to the EU all consignments of wastes to Slovakia, destined for recovery operations, listed in Annexes II, III, IV of Council Regulation No 259/93/EC, as well as the consignments of wastes not listed in these annexes, will be the subject of notification to the relevant bodies and procedures according to the provisions of the Articles 6, 7 a 8 of Council Regulation No 259/93/EC by 31st December 2011.

**Slovenia:** Art. 1(1)b waste exists

With regard to transboundary movements of wastes applies Regulation (EC) 1013/2006. The subject of control is: - waste destined for final disposal - in the case of movements destined for recycling: - waste listed in Annex IV, - any waste not listed in Annex III, IIIA, IIIB, IV, IVA and V of Regulation (EC) 1013/2006, - in the case of export out of EU: waste which is subject of control in the country of destination.

---

**Question 2c. Article 1(1)b wastes****2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

---

**Barbados:** Art. 1(1)b waste does not exist

**Belize:** Art. 1(1)b waste does not exist

**Brazil:** Art. 1(1)b waste exists

Brazil prohibits the importation of used tires in Annex 10-C (Inert Wastes - Class III - Importation Prohibited) of the CONAMA Resolution no 235 and also prohibits the importation of wastes for final disposal or incineration (CONAMA Resolution no 08 from September 19, 1991). Besides the Ministry of Development, Industry and Foreign Trade Regulation (Portaria Interministerial) Nr. 03, September, 12th 1995, prohibit the importation of used consumed goods.

**Chile:** Art. 1(1)b waste exists

Se notificó a la Secretaría del Convenio aquellos residuos adicionales, no incluidos en el Anexo I. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Colombia:** Art. 1(1)b waste does not exist

**Costa Rica:** Art. 1(1)b waste does not exist

**Cuba:** Art. 1(1)b waste does not exist

**Dominican Republic:** Art. 1(1)b waste does not exist

**El Salvador:** Art. 1(1)b waste exists

The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>). Radioactive Waste (category Y0) is regulated/controlled by the Regional Agreement on the Transboundary Movement of Hazardous Waste (December 1992).

**Guyana:** Art. 1(1)b waste does not exist

**Honduras:** Art. 1(1)b waste does not exist

**Jamaica:** Art. 1(1)b waste does not exist

**Mexico:** Art. 1(1)b waste exists

Mexico regulates the import and export of the wastes defined as dangerous by the Mexican regulation and they are listed in the Mexican Official Norm NOM-052-SEMARNAT-2005 that establishes the characteristics, the procedure of identification, classification and the listings of the hazardous waste. Additionally, the article 31 of the same Law establishes one list of hazardous wastes and products that are considered like hazardous wastes when they are rejected, the list is integrated by: I. Used lubricating oils; II. Used organic dissolvent; III. Catalytic converters of automotive vehicles; IV. Storage cells of automotive vehicles containing lead; V. Electrical batteries with mercury or of nickel-cadmium; VI. Fluorescent lamps and of mercury steam; VII. Additions that contain mercury, cadmium or lead; VIII. Drugs; IX. Plaguicides and its packages that contain surpluses of such; X. Persistent organic compound, like the polychlorinated biphenyls; XI. Muds of perforation base oil, originating of the extraction of fossil fuels and originating muds of plants of residual water treatment when they are considered like dangerous; XII. The blood and the components of this one, only in its liquid form, as well as its derivatives; XIII. The stocks and cultures of pathogenic agents generated in the procedures of diagnosis and investigation and in the production and control of biological agents; and XIV. The pathological remainders constituted by weaves, organs and parts that are removed during the autopsies, the surgery or some other type of operation, and; XV. The jab-sharp remainders that there are been in contact with humans or animals or their biological samples during the diagnosis and treatment, including knives of bistoury, lancets, syringes with integrated needle, hypodermic needles, of acupuncture and for tattoos.

Paraguay: Art. 1(1)b waste does not exist

Trinidad and Tobago: Art. 1(1)b waste does not exist

Venezuela: Art. 1(1)b waste exists

La Ley de Residuos y Desechos Sólidos de (Gaceta Oficial N° 38068 de fecha 18 de Noviembre de 2004), establece lo siguiente: Las importaciones y exportaciones de residuos y desechos sólidos, deberán cumplir lo que se menciona en los siguientes artículos de la citada Ley: • Artículo 63. La importación de desechos o residuos sólidos solo podrá efectuarse cuando sea posible asegurar su eliminación en condiciones que no presente peligro para la salud o el ambiente, y de acuerdo con lo establecido en la legislación correspondiente. • Artículo 64. La importación y exportación de residuos y desechos sólidos deberán contar con la autorización correspondiente, emitida en forma conjunta por los ministerios encargados del ambiente y de la salud, la cual se regirá de conformidad con los procedimientos y normas técnicas correspondientes. • Artículo 65. Cuando sean introducidos en el territorio nacional residuos o desechos sólidos en contravención de las reglas previas en el presente Ley y demás normas que la desarrollen, la autoridad administrativa competente poder ordenar y encargar a su detentor, de asugurar la reexportación al país de origen. En caso de inejecución, la autoridad podrá tomar todas las medias necesarias para asegurar la reexportación, siendo los gastos en que se incurran a cargo del responsable, sin menoscabo de las sanciones penales y civiles correspondientes.

---

**Question 2c. Article 1(1)b wastes****2006. Western Europe and Others. (Parties which did not report are not listed).**

---

**Andorra: Art. 1(1)b waste exists**

Andorra has a specific regulation for the export of wastes of 14/12/2005 (Reglament d'exportació de residus). This regulation classifies in the different kinds of waste in a green list, an orange list and a red list. Moreover, in coordination with the International Atomic Energy Agency and European authorities that control thoroughly the movements of nuclear substances, Andorra has a practical system of control of the imports and the exports of nuclear substances. There is also a system of registration and control, for the purposes of commerce, of the quantities of chemical products that enter and leave the country.

**Australia: Art. 1(1)b waste does not exist****Austria: Art. 1(1)b waste exists**

The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Belgium: Art. 1(1)b waste exists**

In Belgium the provisions of the European Council Regulation 259/93/EEC apply, especially referring to its Annexes II, III, IV and V. Annexes III and IV (Amber and Red List) regulate also some wastes not included in art. 1 (1)a of the Basel Convention. There is also a list which specifies the wastes which are not controlled (Annex II = Green List). All wastes not included in the Annexes are controlled. All wastes destined for final disposal are also controlled.

**Canada: Art. 1(1)b waste exists**

The national definition of hazardous waste and hazardous recyclable material covers "wastes" other than those listed in Annexes I, II and VIII of the Basel Convention. Most notably compressed or liquefied gases and aerosols are controlled, used lubricating oils from internal combustion engines, used oil filters containing more than 6% of oil by mass, aluminum by-products and spent pot liners which exhibit a hazard, wastes that contain more than 2 mg/kg of PBB or PCT as well as polychlorinated dibenzo dioxins and furans in a concentration greater than 100 ng/kg TEQ. Canada controls all of Annex I and Annex II wastes when they exhibit a hazard characteristic. Canada also controls wastes, even if not included in Annex I, as long as it exhibits a hazardous characteristic. For example: OECD Waste: All wastes listed and controlled under the OECD decisions are included in the Canadian regulatory regime of the EIHWHRRM. Some of these could serve as examples of wastes which would not always be covered by Annex I. In line with the revised OECD Council Decision C(2001)107/FINAL Concerning the Control of Transboundary Movements of Wastes Destined for Recovery Operations (hereafter refer to in this document as the OECD Decision C(2001)107/FINAL), the definition of "Hazardous recyclable material" in the Regulations excludes four streams of low risk recyclable materials (Schedule 8) SCHEDULE 8 (Subparagraph 2(2)€(i)) EXCLUDED MATERIALS Item Description 1. Slags, skimmings and dross containing precious metals, copper or zinc for further refining 2. Platinum group metal (PGM) automobile catalysts 3. Electronic scrap such as circuit boards, electronic components and wires that are suitable for base or precious metal recovery 4. Brass in the form of turnings, borings and choppings These four streams of recyclable materials are not controlled within the OECD. They are controlled, however, if they are contaminated by other material to an extent that it increases risks to the environment or prevents the recycling of the materials in an environmentally sound manner. Waste having as constituents: Canada uses a leachate procedure to characterize H13 wastes. Concentrations of contaminants listed in the Canadian Drinking Water Quality Guidelines are assessed during the procedure. Some of these contaminants, for example, boron and barium, are not found on Annex I. The more than 3000 listed wastes by Canadian regulations include a few hundred substances identified as being hazardous to the environment. A number of these substances, when wastes, do not have a corresponding Annex I or II entry. Aluminum: Aluminum is not identified in Annex I however, when aluminum wastes exhibit a hazard characteristic according to domestic legislation, they are controlled. Gases: Gases in the form of aerosols or compressed are controlled. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>) or <http://www.basel.int/natdef/03e-canada.pdf>

**Denmark: Art. 1(1)b waste exists**

In Annex V in EU Regulation No. 1013/2006 on shipment of waste, Denmark – as the rest of EU- has listed hazardous waste which are subject to decision II/12 of the Convention.

**Finland: Art. 1(1)b waste exists**

Additional wastes may contain, for example, the following constituents, which potentially render wastes hazardous: certain metal compounds (like cobalt, nickel, silver, vanadium, tin), certain alkaline or alkaline earth metals (lithium,

potassium, calcium, magnesium in uncombined form), aromatic compounds, polycyclic and heterocyclic organic compounds, inorganic sulphides, peroxides, chlorates, perchlorate, creosotes, isocyanates or thiocyanates. Due to some structural differences between the hazardous waste list and the Basel Convention Annexes it is not always possible to specify in full detail which of these wastes are additional to the Annexes. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Germany:** Art. 1(1)b waste exists

According to EU-legislation waste streams containing hazardous compounds of Ba, Ni, V, Co, Ag and Sn, metallic Li, Na, K, Ca and Mg, inorganic sulphides and organic substances like peroxides, azides, creosotes, aliphatic and aromatic amines, isocyanates; thiocyanates, chlorates, perchlorates, sulphur organic compounds, CFC and other hydrocarbons and their oxygen; nitrogen and/or sulphur compounds exhibiting an hazardous characteristics according to EU hazard criteria are hazardous wastes in EU. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Greece:** Art. 1(1)b waste exists

According to Council Regulation EEC 259/93, as amended and implemented.

**Ireland:** Art. 1(1)b waste exists

all shipments of waste are controlled in accordance with Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out of the European Community. A new EU Regulation on transfrontier shipments of waste came into effect on 12 July 2007 - Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

**Italy:** Art. 1(1)b waste exists

These wastes include all the wastes that are listed in the EEC/259/93 Annexes III and IV.

**Luxembourg:** Art. 1(1)b waste exists

All the wastes subject to control under the regulation (EEC) 259/93 are controlled.

**Monaco:** Art. 1(1)b waste does not exist

**Netherlands:** Art. 1(1)b waste exists

Lists of amber and red wastes (OECD-decision); and hazardous wastes on the European Hazardous Waste List.

**New Zealand:** Art. 1(1)b waste does not exist

**Norway:** Art. 1(1)b waste exists

Norway has implemented the EU Council Regulation (EEC) No 259/93 with its attached waste lists, e.g. those in Annex V, which in Part 1 contains List A and List B from Annex VIII and IX to the Basel Convention. The national definition of hazardous wastes covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Sweden:** Art. 1(1)b waste exists

The national definition of hazardous waste covers wastes other than those listed in Annexes I, II and VIII of the Basel Convention. The Secretariat of the Basel Convention has made the information transmitted to it, pursuant to article 3 of the Basel Convention, available on the website of the Basel Convention (<http://www.basel.int/natdef/frsetmain.php>).

**Turkey:** Art. 1(1)b waste list under preparation

**United Kingdom of Great Britain and Northern Ireland:** Art. 1(1)b waste exists

Wastes listed in IV and certain ones in Annex V of the WSR are controlled as hazardous for the purpose of transboundary movements. A number of the wastes listed in these Annexes are not included within the scope of Article 1(1)a of the Basel Convention.

---

**Question 2d. Wastes requiring special consideration****2006. Africa. (Parties which did not report are not listed).**

---

**Algeria:** Waste requiring special consideration exists  
Housing and assimilated wastes. Non hazardous wastes.

**Botswana:** Waste requiring special consideration does not exist

**Cameroon:** Waste requiring special consideration does not exist

**Gambia:** List of waste requiring special consideration in preparation  
These wastes are yet to be determined.

**Ghana:** Waste requiring special consideration exists  
Used items including knocked down vehicle engines, used textiles.

**Lesotho:** Waste requiring special consideration does not exist

**Madagascar:** Waste requiring special consideration exists  
-Radioactive wastes and nuclear wastes. -Déchets contenant ou contenu amiante.

**Mali:** Waste requiring special consideration does not exist

**Morocco:** List of waste requiring special consideration in preparation  
Les listes des déchets à contrôler et des déchets dangereux sont en cours d'élaboration.

**Mozambique:** Waste requiring special consideration does not exist

**Nigeria:** Waste requiring special consideration exists  
Radioactive wastes.

**Seychelles:** Waste requiring special consideration does not exist

**South Africa:** Waste requiring special consideration exists  
Radioactive waste and mining waste.

**Tunisia:** Waste requiring special consideration exists  
Waste anode butts made of petroleum coke and/or bitumen; used single-use cameras not containing batteries; wastes of synthetic or artificial fibres; waste photographic papers and films; spent activated carbons other than those mentioned in the Tunisian list of hazardous waste (list available on request) (080702, 180106); and ships and other floating engines to be dismantled, emptied of freight and any material classified as hazardous require special consideration when subjected to transboundary movement.

**Zambia:** Waste requiring special consideration does not exist

---

**Question 2d. Wastes requiring special consideration****2006. Asia and Pacific. (Parties which did not report are not listed).**

---

**Bahrain:** Waste requiring special consideration does not exist

**Brunei Darussalam:** List of waste requiring special consideration in preparation  
It is being prepared in the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Waste requiring special consideration does not exist

**China:** Waste requiring special consideration exists

In China, import of solid wastes that cannot be used as raw materials is prohibited. Up to now, wastes listed in the "list of automatic-licensing solid wastes that can be used as raw materials" and "list of restricted solid wastes that can be used as raw materials" are permitted to be imported (Annex-2, available from the Secretariat, upon request). Please also see the list of goods prohibited to be imported (Annex-2, available from the Secretariat, upon request).

**Cyprus:** Waste requiring special consideration does not exist

**Indonesia:** Waste requiring special consideration exists

Article 8 of the Governmental Regulation No. 85/1999 states that waste resulted from activities that is not included in Table 2 should be classified as hazardous waste if evidentially revealed one or more of the following characteristics: explosive, flammable, reactive, toxic, infectious, and/or corrosive.. These wastes require special consideration when subjected to transboundary movement.

**Iran (Islamic Republic of):** Waste requiring special consideration does not exist

**Japan:** Waste requiring special consideration exists

Any person who intends to import waste (excluding navigational wastes and carried-in wastes) shall procure the permission of the Minister of the Environment. Any person who intends to export domestic or industrial wastes (excluding valuable material) must obtain the confirmation of the Minister of the Environment that the export of domestic wastes comes under the respective items in the following: - The wastes to be exported are deemed difficult to be treated properly in Japan in the light of the available treatment and technique; and - The wastes to be exported will be recycled in the country to which they are exported.

**Kazakhstan:** Waste requiring special consideration does not exist

**Kiribati:** Waste requiring special consideration does not exist

The Waigani Convention does not address the transit of radioactive wastes, rather it seeks that forum members give active consideration to the implementation of the IAEA Cod of Practice on the International Transboundary Movement of Radioactive Wastes.

**Malaysia:** Waste requiring special consideration does not exist

**Pakistan:** Waste requiring special consideration does not exist

**Republic of Korea:** Waste requiring special consideration does not exist

**Singapore:** Waste requiring special consideration does not exist

**Sri Lanka:** Waste requiring special consideration exists

A policy decision has been taken by the Ministry of Environment to consider Annex IX (List B) wastes on a case by case basis and not to allow importation of plastic waste.

**Viet Nam:** Waste requiring special consideration does not exist

---

**Question 2d. Wastes requiring special consideration****2006. Central and Eastern Europe. (Parties which did not report are not listed).**

---

**Armenia:** Waste requiring special consideration does not exist

**Belarus:** Waste requiring special consideration does not exist

**Bosnia & Herzegovina:** Waste requiring special consideration exists  
Non-hazardous waste require special consideration when subjected to transboundary movement.

**Croatia:** Waste requiring special consideration exists

According to Article 53 of the Waste Act (OG No 178/04) the person registered for export activity cannot begin to export non-hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters. The person importing non-hazardous waste must obtain the decision prescribed by Articles 48 and 49 of the Waste Act (OG No 178/04). Import of hazardous waste is prohibited. Transit of non-hazardous waste is permitted. Transit of hazardous waste in the territory of the Republic of Croatia may be performed by a person who is registered for performing the activity, under the condition that the person obtains the decision prescribed by Waste Act (OG No 178/04)

**Czech Republic:** Waste requiring special consideration exists

Final disposal Exports of all wastes (both hazardous and non-hazardous) for final disposal to EU member countries and EFTA countries Parties to the Basel Convention (CH, IS, LI, NO) are subject to notification and prior consent. Exports of all wastes for final disposal to other countries are prohibited. Imports of all wastes for final disposal are prohibited. Recovery Some Amber listed wastes are normally not hazardous even if they are subject to notification and prior consent when moved for recovery. Examples of such wastes are: used blasting grit, surface active agents (surfactants), liquid pig manure, faeces, sewage sludge. The wastes not listed in Amber or Green lists are subject to notification and prior consent. The Green listed wastes exported for recovery into some new EU member countries (BG, LV, MT, PL, RO, SK) are temporarily subject to notification and prior consent. The Green listed wastes exported for recovery to non-OECD countries are controlled depending on request of importing country in accordance with Commission Regulation (EC) No 801/2007.

**Estonia:** Waste requiring special consideration does not exist

**Georgia:** Waste requiring special consideration does not exist

**Hungary:** Waste requiring special consideration does not exist

**Latvia:** Status not provided

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.

**Poland:** Waste requiring special consideration does not exist

**Republic of Moldova:** Waste requiring special consideration exists

The Governmental Decisions nr. 637 form 27 May 2003 on the control on transboundary movement of waste and their disposal required permission for the transboundary movement of any kind of waste.

**Romania:** Waste requiring special consideration does not exist

**Slovakia:** Waste requiring special consideration does not exist

**Slovenia:** Waste requiring special consideration exists

With regard to transboundary movements of wastes applies Regulation (EC) 1013/2006. The subject of control is: - waste destined for final disposal - in the case of movements destined for recycling: - waste listed in Annex IV, - any

waste not listed in Annex III, IIIA, IIIB, IV, IVA and V of Regulation (EC) 1013/2006, - in the case of export out of EU: waste which is subject of control in the country of destination.

---

**Question 2d. Wastes requiring special consideration****2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

---

**Barbados:** Waste requiring special consideration does not exist

**Belize:** Waste requiring special consideration does not exist

**Brazil:** Waste requiring special consideration does not exist

**Chile:** Waste requiring special consideration exists

Any wastes, even those that are not hazardous, require authorization from the National Sanitary Authority for every kind of management, including their transport.

**Colombia:** Waste requiring special consideration exists

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

**Costa Rica:** Waste requiring special consideration does not exist

**Cuba:** Waste requiring special consideration does not exist

**Dominican Republic:** Waste requiring special consideration does not exist

**El Salvador:** Waste requiring special consideration does not exist

**Guyana:** Waste requiring special consideration does not exist

**Honduras:** Waste requiring special consideration does not exist

**Jamaica:** Waste requiring special consideration does not exist

**Mexico:** Waste requiring special consideration does not exist

**Paraguay:** Waste requiring special consideration does not exist

**Trinidad and Tobago:** List of waste requiring special consideration in preparation

**Venezuela:** Waste requiring special consideration does not exist

---

**Question 2d. Wastes requiring special consideration****2006. Western Europe and Others. (Parties which did not report are not listed).**

---

**Andorra:** Waste requiring special consideration exists

Wastes resulting from the construction activities. The waste resulting from building industry is subject to the Regulation on the export conditions of debris, rubble and waste from demolition and construction of the 27-06-2001. The regulation obliges the exporter to select its waste. Authorized material to export is listed in art.2a) of the regulation, and prohibited waste is listed in art.2.b). Selection and separation is made only in authorized centers/plants by authorities. They are obliged to separate hazardous waste and hand it to the proper operator. Controls are frequent at the borders, and when mixed waste is found in the debris, they are returned to the owner. Destination is controlled, and disposal is done in authorized centers of the import country (Spain).

**Australia:** Waste requiring special consideration does not exist

**Austria:** Waste requiring special consideration exists

The shipment of any waste not listed in Annex III, IIIa or III b of the EU Regulation 1013/2006/EC is subject to a notification procedure.

**Belgium:** Waste requiring special consideration does not exist

The wallon region has suggested to class the waste -GM 140: waste edible fats and oils of animal or vegetable origin (frying oil) in the annex III, for public health reason.

**Canada:** Waste requiring special consideration exists

Because of their nature and high public profile, polychlorinated biphenyls (PCB) are a special case when it comes to the management, export, and import of hazardous wastes containing 50 mg/kg of PCBs or more. Canada's policy is to ensure the management of PCB wastes within a strictly controlled regulatory system until they can be eliminated through removal from service, proper destruction and isolation from the environment. The PCB Waste Export Regulations, 1996 (PCBWER) (<http://laws.justice.gc.ca/en/C-15.31/SOR-97-109/text.html>) set out the controls which need to be met and restricts exports of PCB wastes to the United States for treatment and destruction (excluding landfilling) when these wastes are in concentrations equal to or greater than 50 parts per million (ppm). The Regulations require that advance notice of proposed export shipments be given to Environment Canada. If the PCB waste shipment complies with the Regulations for the protection of human health and the environment, and authorities in any countries or provinces through which the waste will transit do not object to the shipment, a permit could be issued from Environment Canada to the applicant authorizing the shipment to proceed.

**Denmark:** Waste requiring special consideration exists

Waste destined for final disposal.

**Finland:** Waste requiring special consideration exists

The wastes subject to control procedures when moved transboundary are defined by the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, and the regulations issued on the basis of the said regulation. According to the said Regulation, all shipments of waste intended for final disposal (D-operations) are subject to control procedures. For wastes that are intended for recycling or recovery (R-operations) within the OECD area all other wastes except those listed in Annex III of Regulation (EC) No 1013/2006 are subject to control when moved transboundary. Annex III of Regulation (EC) No 1013/2006 is almost identical to the Basel Convention Annex IX with only a few modifications. It also includes OECD Green list of wastes, which consists of wastes either different or missing from the Basel Convention Annex IX. Annexes IIIA and IIIB will be defining further exceptions to control procedures. Annex IIIA specifies the mixtures of two or more wastes listed in Annex III and not classified under one single entry. Annex IIIB determines additional green listed waste awaiting inclusion in the relevant annexes to the Basel Convention or the OECD Decision. Annex IVA will specify wastes listed in annex III, but still subject to the procedure of prior written notification and consent. These annexes are currently under preparation in the European Community and still to be approved officially. When waste is shipped to non-OECD countries (i.e. countries to which the OECD Decision C(2001)107 does not apply) there are also some additional control procedures for non-hazardous, Green listed wastes. These control procedures vary depending on the request by the importing country concerned. This procedure is further defined in the Commission Regulation (EC) No 1418/2007 and will be regularly updated by the Commission.

**Germany:** Waste requiring special consideration exists

Relevant waste listed below (with Code Nr. from the Annexes in brackets, hazardous wastes always excluded): • Dross, scalings and other wastes from the manufacture of iron and steel (AA010) • zinc ashes and residues (AA020) • copper ashes and residues (AA040) • aluminium ashes and residues (AA050) • ashes and residues containing other metals/metal compounds (AA070) • precious metal ashes and residues (AA160) • used batteries

and accumulators (AA180) • slag, ash and residues not elsewhere specified or included (AB010) • waste from the incineration of household waste (AB020 and as waste under Article 1(2) of the Basel Convention) • non-cyanidic waste from surface treatment of metals (AB030) • spent catalysts not listed in Annex II (AB080) • waste hydrates of aluminium (AB090) • sands used in foundry operations (AB070) • waste blasting grit (AB130) • unrefined calcium compounds from flue gas desulphurization (AB150) • bituminous materials (asphalt waste) (AC020) • wood waste treated with other chemicals than wood preservers (AC170) • shredder residues (AC190 or not listed) • surface active agents (AC250) • manure, faeces (AC260) • sewage sludge (AC270) • household waste (AD160 and as waste under Article 1(2) of the Basel Convention) • sludges and rejects from the production of paper and cardboard (not listed) • cable waste (not listed) • soil and stones (not listed) • off-specification batches (not listed) • street cleaning residues (not listed) • wastes from the preparation of water (not listed) and • all kinds of mixed wastes (not listed). Pursuant to Art. 3 and 14 of the same Regulation all wastes destined for operations as set out in Annex IV.A of the Basel Convention (D-operations) are also controlled. Pursuant to Article 17(3) of this Regulation in the case of export all wastes known as subject to control in the country of destination are also controlled. Transitional arrangements for new member states of the European Community: All wastes are subject to notification for export to Latvia until December 2010, Poland until December 2012, Slovakia until December 2011, Bulgaria until December 2014 and Romania until December 2015.

**Greece:** Waste requiring special consideration does not exist

**Ireland:** Waste requiring special consideration does not exist

However, all shipments of waste are controlled in accordance with Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out of the European Community. A new EU Regulation on transfrontier shipments of waste came into effect on 12 July 2007 – Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

**Italy:** Waste requiring special consideration does not exist

**Luxembourg:** Status not provided

**Monaco:** Waste requiring special consideration does not exist

**Netherlands:** Waste requiring special consideration exists

The unlisted wastes require special consideration when subjected to transboundary movement and these wastes are controlled according to the most stringent procedure (i.e. red-list).

**New Zealand:** Waste requiring special consideration exists

Imports and exports of household waste are controlled under the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at [www.legislation.govt.nz](http://www.legislation.govt.nz). "household waste" means any waste collected from households; and includes any residue from the incineration of that waste.

**Norway:** Waste requiring special consideration exists

Waste containing some flame retardants (pentabromdifenyleter, oktabromdifenyleter, dekabromdifenyleter, tetrabrombisfenol A, heksabromsyklododekan) are classified as hazardous waste in Norway. It is required that disposal of such waste ensure destruction of the flame retardants. Export for recycling is therefore usually not accepted.

**Sweden:** Waste requiring special consideration does not exist

**Turkey:** Waste requiring special consideration exists

According to the National Regulations and Communiqué of Standardization of Foreign Trade No.2006/3, used tyres and all kind of hazardous wastes are prohibited to Turkey and free zone the authority of Turkey. Therefore for the transit transportation of used tyres through Turkey is subject to the approval of our Ministry of Environment. In giving this consent, it is necessary to take the written consent of the state of import.

**United Kingdom of Great Britain and Northern Ireland:** Waste requiring special consideration exists

Wastes destined for recovery operations that are not listed in the WSR are subject to hazardous waste controls. Wastes listed on Annex III 'green list of wastes' of the WSR may be subject to hazardous waste controls if they are contaminated by other materials to an extent which increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the red list, or prevents the recovery of the waste in an environmentally sound manner. Shipments of non-hazardous wastes (green list) for recovery to non-OECD countries may also be subject to hazardous waste control procedures according to the wishes of the importing country. A separate Commission Regulation sets out the applicable control procedures for such shipments (the 'green list Regulation').