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## 2a National definition of waste

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

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#### UN Region: Africa

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##### **Egypt**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Egypt.

Waste of any activities or any processes which exhibit any of the hazardous characteristics.

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##### **Gambia**

2007 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

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##### **Madagascar**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Madagascar.

"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.

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##### **Mali**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Mali.

Decree N° 07 135 P-RM du 16/04/07 Determining the list of hazardous waste.

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##### **Morocco**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Morocco.

The Law 28 -00 on Waste Management and their Disposal into force 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 à contrôler et des déchets dangereux sont fixées par le Décret n°2-07-253 du 18 juillet 2008 portant classification des déchets et fixant la liste des déchets dangereux.

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##### **Mozambique**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Mozambique.

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##### **Nigeria**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Nigeria.

FEPA harmful waste provision degree 42 of 1988.

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##### **Rwanda**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Rwanda.

Waste\* : is any substance whether solid, liquid or gaseous resulting from household activities, from manufacturing plants or any abandoned movable or immovable property, and which may be harmful.

\*Organic Law N° 04/2005 of 08/04/2005, determining the modalities of protection, conservation and promotion of environment in Rwanda, page 24.

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### **Senegal**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Senegal.

Any solid, liquid or gaseous substance, or any residues coming from the production process, transformation or utilization of any other eliminated or disposed of substance, destined to be eliminated or needing to be disposed of in accordance with the laws and regulations in force.

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### **South Africa**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in South Africa.

The National Environmental Management: Waste Act 58 of 2008, defines waste as any substance, whether or not that substance can be reduced, reused, recycled and recovered

- (a) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;
- (b) which the generator has no further use of for the purposes of production;
- (c) that must be disposed of; or
- (d) that is identified as a waste by the Minister by notice in the Gazette, but – (i) a by-product is not considered waste; and (ii) any portion of waste, once reused, recycled and recovered ceases to be waste.

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### **Tunisia**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Tunisia.

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### **Uganda**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Uganda.

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

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### **Zambia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Zambia.

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.

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

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### **Azerbaijan**

2007 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

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### **Bahrain**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Bahrain.

The definition is in accordance with the Basel Convention.

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### **Cambodia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Cambodia.

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.

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### **China**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in China.

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.

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### **Cyprus**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Cyprus.

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.

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### **Indonesia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Indonesia.

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".

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### **Iran (Islamic Republic of)**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Iran (Islamic Republic of).

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.

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### **Japan**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Japan.

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.

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### **Kazakhstan**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Kazakhstan.

Definition of waste in legislation of the Republic of Kazakhstan is coordinated with definition adopted by the Basel Convention and as a whole meets the purposes of control and transboundary movement of wastes.

Notes:

In 2007 the Ecological code of the Republic of Kazakhstan is enacted by which issues of production and consumption waste management are regulated as on national and on transnational level.

The Ecological code determines the general ecological requirements at production and consumption waste management.

According to the Ecological code of RK production and consumption wastes (wastes) are the rests of raw materials, materials, other products which were generated during manufacture and consumption, and also the goods lost the consumer properties.

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### **Kuwait**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Kuwait.

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.

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### **Malaysia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Malaysia.

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.

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### **Pakistan**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Pakistan.

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.

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### **Philippines**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Philippines.

Under Department administrative Orders DAO 92-29, the term "waste" is not specifically defined.

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### **Qatar**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Qatar.

The national definition of hazardous waste is in accordance with the Basel Convention.

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### **Singapore**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Singapore.

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

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### **Sri Lanka**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Sri Lanka.

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.

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### **Thailand**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Thailand.

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### **United Arab Emirates**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in United Arab Emirates.

All hazardous and non-hazardous remnants and wastes, including nuclear wastes, disposed of or need to be disposed of, in accordance with the provisions of the law and include:

Solid Wastes: such as domestic, industrial, agricultural, medical, construction and demolition wastes.

Liquid Wastes: produced by domestic, commercial, industrial and other premises.

Gaseous (smoke, vapour and dust) Wastes: produced by domestic premises, bakeries, incinerators, factories, crushing plants, stone quarries, power stations, oil works and means of transportation and communication.

Hazardous Wastes: residues or ash of different activities and operations containing properties of hazardous substances.

Medical Wastes: Wastes constituted wholly or partially of human or animal tissues, blood or other body fluids or excretions or drugs or other pharmaceutical products or bandages, needles, syringes, sharp medical objects or any other contagious, chemical or radioactive wastes produced by medical or nursing activities, treatment or health care, dentistry or veterinary and pharmaceutical practices or manufacturing, research, teaching, sample taking or storage.

Federal Law No. (24) Of 1999 for the protection and development of the environment

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### **Viet Nam**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Viet Nam.

Law on Environmental Protection in 2005 (enter 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.

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*UN Region: Western Europe and Others*

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### **Andorra**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Andorra.

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. We can find too, the dangerous waste characteristics in the decree of handlers.

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.

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### **Australia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Australia.

Waste means a substance or object that:

is proposed to be disposed of; or

is disposed ; or

is required by a law of the Commonwealth, a State or a Territory to be disposed of.

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### **Austria**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Austria.

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.

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### **Belgium**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Belgium.

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° 1013/2006 is applied.

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### **Canada**

2007 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

For the purposes of transboundary movement there is a regulatory definition of hazardous waste (note: Canada differentiates 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, (EIHWRMR) (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>

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### **Denmark**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Denmark.

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.

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### **Finland**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Finland.

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).

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## **Germany**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Germany.

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 European Community (old Waste Shipment Regulation) applied until 11 July 2007. From 12 July 2007, this regulation has been replaced by Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (new Waste Shipment Regulation).

Concerning the definition of waste the regulation refers to the Waste Framework Directive (2006/12/EC). 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.

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## **Greece**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Greece.

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”

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### **Ireland**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Ireland.

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.

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### **Israel**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Israel.

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### **Italy**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Italy.

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

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### **Liechtenstein**

2007 There is no information concerning a national definition of waste provided for Liechtenstein.

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### **Luxembourg**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Luxembourg.

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

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### **Malta**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Malta.

“Waste” means any substance or object which is disposed of, or is intended to be disposed of, or is required to be disposed of.

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### **Monaco**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Monaco.

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### **Netherlands**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Netherlands.

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

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## **Norway**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Norway.

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).

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## **Portugal**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Portugal.

According to the Waste act (Decree-Law 178/2006 of 5 of September of 2006) waste is any substance or object that the holder discards or intends to or is required to discard, in accordance with Council Directive 2006/12/EC of 5 April of 2006, entering into force on 27 of April of 2006.

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## **Spain**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Spain.

According to the Act 10/1998 on Wastes, Article 3, Definitions, "wastes" are those substances or objects falling under any of the categories referred to in the annex to the present Act, which the holder discards, has the intention or is required to discard. In any case, substances or objects (which fulfill the above condition) and listed in the European Waste Catalogue approved by the Community institutions should always be considered as wastes. (For categories of wastes appearing in the annex to the Act, see annex II to the questionnaire) (The version in force of the European Waste Catalogue/List has been adopted by Decision 2000/532/EC of the Commission of European Communities of 3rd May 2000, amended by Decisions of the Commission 2001/118/EC of 16th January 2001, 2001/119 of 22nd January 2001, and Decision of the Council 2001/573 of 23rd July 2001. The European Waste List has been published in the Spanish Official Gazette of 19th February 2002 by Orden MAM/304/2002).

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## **Sweden**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Sweden.

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 1013/2006 on shipments of waste defines what waste should be controlled.

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## **Turkey**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Turkey.

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. And By The By Law on General Principles all the list listed in European Waste Catalogue is waste.

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## **United Kingdom of Great Britain and Northern Ireland**

10.08.2011

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2007 National definition of waste used for the purpose of transboundary movements of waste exists in United Kingdom of Great Britain and Northern Ireland.

‘Waste’, including wastes subject to transboundary movements, is defined in Article 1(a) of the EC Framework Directive on (Council Directive 2006/12/EC). 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.

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

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#### **Albania**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Albania.

“Wastes” are substances, objects or parts of them, determined by the relevant authority, which are no longer used or which the owner likes to carry away. These materials will be considered wastes, as long as the materials taken from them or the energy generated are not included on the production process. –law No.8934, date 5.09.2002 “On Environmental Protection”.

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#### **Belarus**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Belarus.

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.

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#### **Bosnia & Herzegovina**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Bosnia & Herzegovina.

"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.

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#### **Bulgaria**

2007 There is no information concerning a national definition of waste provided for Bulgaria. "Waste" shall be any substance, object or part of an object which the holder discards or intends or is required to discard and which belongs to at least one of the following categories:

- (a) production or consumption residues not otherwise specified below: Code Q1;
- (b) off-specification products: Code Q2;
- (c) products whose date for appropriate use or for maximum effectiveness has expired: Code Q3;
- (d) materials spilled, lost or having undergone other mishap, impairing irreparably the original properties thereof, including any materials and equipment contaminated as a result of the mishap: Code Q4;
- (e) materials contaminated or soiled as a result of planned actions (residues from cleaning operations, packing materials, containers and other such): Code Q5;
- (f) unusable parts ( reject batteries, exhausted catalysts and other such): Code Q6;
- (g) substances which no longer perform satisfactorily (contaminated acids, contaminated solvents, exhausted tempering salts, and other such): Code Q7;
- (h) residues of industrial processes (slags, still bottoms and other such): Code Q8;
- (i) residues from pollution abatement processes (scrubber sludges, baghouse dusts, spent filters and other such): Code Q9;
- (j) machining and finishing residues (lathe turnings, mill scales and other such): Code Q10;
- (k) residues from raw materials extraction and processing (mining residues, oil field slops and other such): Code Q11;
- (l) adulterated materials (oils contaminated with polychlorinated biphenyls and other such): Code Q12;
- (m) any materials, substances or products whose use has been banned by law: Code Q13;
- (n) products for which the holder has no further use (agricultural, household, commercial, office and shop discards and other such): Code Q14;
- (o) contaminated materials, substances or products resulting from remedial action with respect to land: Code Q15; and
- (p) any materials, substances or products which are not contained in the above categories: Code Q16.

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### **Croatia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Croatia.

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.

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### **Czech Republic**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Czech Republic.

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.

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### **Estonia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Estonia.

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

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### **Georgia**

2007 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

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

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### **Hungary**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Hungary.

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)

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### **Latvia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Latvia.

"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)

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### **Lithuania**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Lithuania.

According to the Law No IX-1004 on Waste Management adopted on 1 July 2002, waste means any substance or object which the holder discards or intends to or is required to discard, belonging to the categories of waste, pursuant to Annex I of this Law, and fall into the list of waste adopted by the Ministry of Environment. Order No 217 on Rules of Waste Management adopted on 14 July 1999 (as amended on 30 December 2003 by the Order No 722) by the Minister of Environment Annex 2 "List of waste").

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### **Montenegro**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Montenegro.

The definition of waste and hazardous waste are given in the Waste management law (2005):

“waste” shall mean any substance or object which the holder thereof discards or intends to or is required to discard.

“hazardous waste” shall mean waste that consists of elements and/or compounds that have any of the following characteristics: explosive, oxidizing, flammable, irritant, harmful, toxic, carcinogenic, corrosive, infectious, mutagenic, teratogenic, and eco-toxic, and substances which release toxic or very toxic gases in contact with water, air or an acid.

There are two National lists of wastes with national label/code, harmonized with BC annexes and EU / OECD lists, with a few additions. These are (i) List of Hazardous wastes, and (ii) List of non-hazardous wastes (not exhibiting hazardous characteristics). The wastes from both lists are subject to transboundary movement permission and control.

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**Poland**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Poland.

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.

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**Republic of Moldova**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Republic of Moldova.

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.

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**Romania**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Romania.

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.

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**Serbia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Serbia.

The definition of waste and hazardous waste used for the purpose of transboundary movements are given in the Rule on Import, Export and Transit of Wastes (1999).

There are two National lists of wastes with national label/code, harmonized with BC annexes and EU / OECD lists, with a few additions. These are (i) List of Hazardous wastes, and (ii) List of non-hazardous wastes (not exhibiting hazardous characteristics). The wastes from both lists are subject to transboundary movement permission and control.

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**Slovakia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Slovakia.

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.

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## **Slovenia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Slovenia.

Definition of waste is in line with EU Waste Framework Directive - Council Directive 2006/12/EC on waste.

According to Environmental Protection Act (2004) as amended definition of waste is (Art. 3): Waste is any substance or item which is discarded, intended for or it must be discarded by generator or the person who has it in possession.

According to Art. 3 of Decree on Waste Management (2008) waste is further defined as: Waste is waste according to act regulating environmental protection and it is classified in one of the groups of wastes specified in Annex 1 to this decree.

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### **Ukraine**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Ukraine.

"Wastes" mean any substances, materials and articles that are generated in the course of human activity and have no future use at the site of their generation or exposure and shall be rejected by their owner by utilization or disposal (as stated in the Regulation on the Control of Transboundary Movements of Hazardous Wastes and their Utilization/Disposal and "Yellow Waste List" and "Green Waste List" under the Decree of the Cabinet of Ukraine of July 13, 2000, No. 1120 "On Approval of the Regulation on the Control of Transboundary Movements of Hazardous Wastes and their Utilization/Disposal and "Yellow Waste List" and "Green Waste List").

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

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#### **Argentina**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Argentina.

The Executive Decree 181/92 defines waste as any kind of material, substance or object "...produced by any activity and which elimination, recycling, recovery, reuse and/or final disposal are proceeded, intended to proceed or required to proceed, as well as those considered as waste by the implementation authority (article 3). Argentine framework also considers as waste "...all material, substance or object that intends to be imported or introduced to argentine territory in the same state that was discarded by it generator, and/or offered free of charge or paying a fee for recycling, treatment or disposal" (Article 4).

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#### **Barbados**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Barbados.

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#### **Belize**

2007 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

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#### **Bolivia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Bolivia.

Se define como desechos a aquellas sustancias u objetos las cuales deben seguir el procedimiento de disposición final y/o eliminación.

Asimismo, indicar que a la fecha se tiene proyectado trabajar en la formulación de un reglamento específico, donde se definirá específicamente la palabra desechos, indicando el tipo.

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### **Brazil**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Brazil.

ABNT NBR 10.004 - general definition for any purpose.

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### **Colombia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Colombia.

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".

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### **Costa Rica**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Costa Rica.

Waste is "any deficient, non-usable or useless product, that its owner or user decided to eliminate or dispose." (Basel Convention Law No 7438, November 18, 1994.)

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### **Cuba**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Cuba.

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### **Dominican Republic**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Dominican Republic.

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 possessor 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 Natural Resources (Pages 15,16).

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## **Ecuador**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Ecuador.

Wastes are substances (solid, liquid, gaseous or mixtures) or objects which are disposed of, or are intended to be disposed of or are required to be disposed of by virtue of the national law in force.

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## **Guatemala**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Guatemala.

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## **Guyana**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Guyana.

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## **Honduras**

2007 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

Definition given by the Basel Convention is in use.

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## **Jamaica**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Jamaica.

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

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## **Mexico**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Mexico.

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.

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## **Panama**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Panama.

Desecho : Material generado o remanente de los procesos productivos o de consumo que no es utilizable. Ley 41 de 1 de julio de 1998.

Ley 21 del 6 de diciembre de 1990, en el artículo 1 se adopta la definición del Convenio de Basilea.

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## **Saint Lucia**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Saint Lucia.

Solid Waste has the identical definition for waste irrespective of whether it is for management at the national level or for transboundary movements. This definition is: garbage, refuse, organic waste, scrap metal, silt, back-filling material, construction and demolition material and other solid materials discarded from - (a) residential, industrial, commercial or government establishments or operations; and (b) public or community activities but does not include solid or dissolved material in domestic sewage, or other substances in water sources, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants.

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### **Trinidad and Tobago**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Trinidad and Tobago.

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.

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### **Uruguay**

2007 There is no national definition of waste used for the purpose of transboundary movements of waste in Uruguay.

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### **Venezuela**

2007 National definition of waste used for the purpose of transboundary movements of waste exists in Venezuela.

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.

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