
2a National definition of waste

All Regions/Countries, Parties of the Basel Convention

UN Region:

Bhutan

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Bhutan.

Waste means any material or substance in whatever form, whether solid, liquid or gaseous, hazardous or non-hazardous, organic or inorganic that has lost its primary value and is disposed of, intended to be disposed of or recycled.

UN Region: Africa

Egypt

2009 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.

Guinea-Bissau

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Guinea-Bissau.

From the Basic Law of Environment

Wastes are substances or objects to eliminate or which are supposed to be eliminated, or by Law have to be eliminate.

Kenya

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Kenya.

Madagascar

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Madagascar.

« Est considéré comme déchet toute matière qui n`a plus aucune utilité pour son propriétaire ou producteur et qui est mise au rebut ou abandonnée».

D'une façon générale, un déchet peut être défini comme étant tout résidu d'un processus de production, de transformation ou d'utilisation, ou toute substance, matériau, produit ou plus généralement, tout bien meuble abandonné ou que son détenteur destine à l'abandon soit parce que sa valeur économique est trop faible, soit parce qu'il est en quantité trop faible pour justifier un investissement.

Mozambique

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Mozambique.

Nigeria

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Nigeria.

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.

Rwanda

2009 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.

South Africa

2009 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.

Togo

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Togo.

Définition du déchet

Tout résidu d'un processus de production, de transformation ou d'utilisation, toute substance, tout matériau, tout produit ou plus généralement tout bien meuble abandonné ou que son détenteur destine à l'abandon. (Article 02 paragraphe 13 de la Loi No 2008-005 du 30/05/2008, loi-cadre sur l'environnement).

Tunisia

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Tunisia.

Uganda

2009 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.

UN Region: Asia and Pacific

Azerbaijan

2009 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

Bahrain

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Bahrain.

Resolution No.(3) of the year 2006 with respect to the management of hazardous materials attachment # 1.

China

2009 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.

Cyprus

2009 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.

Japan

2009 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.

Kazakhstan

2009 There is no information concerning a national definition of waste provided for Kazakhstan.

Definition of waste in Kazakhstan's legislation consistent with the definition adopted by the Basel Convention and generally consistent with the goals of control and transboundary movements of waste.

Notes:

In 2007, enacted the Environmental Code of Kazakhstan, which regulates the handling of waste production and consumption at both the national and transnational level.

Environmental Code outlines the general environmental requirements for waste management of production and consumption.

If yes, please provide the text of the national definition of waste:

According to the Environmental Code of Kazakhstan production and consumption waste (waste) - the remnants of raw materials and other goods and products which are formed in the process of production and consumption, as well as goods (products) that have lost their consumer properties.

Kyrgyzstan

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Kyrgyzstan.

In accordance with the Law of the Kyrgyz Republic from November 13, 2001 № 89 "On Waste from Production and Consumption"

Waste from Production - the remains of raw materials, intermediate products formed during production or execution of works and have lost all or part of their consumer properties, and related substances formed during the manufacturing process and is not used in this production.

Waste from consumption - products, materials and substances that have lost their consumer qualities because of their physical or mental deterioration. Waste from consumption also includes municipal solid waste that arise during the life of people.

Malaysia

2009 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.(Section 2, Environmental Quality Act 1974).

Nepal

2009 The national definition of waste to be used for the purpose of transboundary movements of waste is being prepared.

Pakistan

2009 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 off, and includes liquor waste , solid waste, waste gasses, suspended waste, industrial waste, agricultural waste, nuclear waste, municipal waste, hospital waste, used polythene bags and residues from incineration of all types of wastes.

Singapore

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Singapore.

Under the Hazardous Waste (control of export, import and transit) Act (HWA) “waste” means a substance or object that is proposed to be disposed of; disposed of; or required by any written law to be disposed of.

Sri Lanka

2009 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.

Thailand

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Thailand.

United Arab Emirates

2009 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.

Uzbekistan

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Uzbekistan.

Waste is the rest of raw materials, articles, which were generated during the production of goods, energy, implementation of works (services) and lost initial consumer characteristics completely or partly (waste of production) and articles and materials, which lost their consumer characteristics as a result of their physical depreciation and obsolescence (waste of consumption). (Document O'z RH 84.3.19:2005 Terms and determinations)

UN Region: Western Europe and Others

Andorra

2009 National definition of waste used for the purpose of transboundary movements of waste exists 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.

By the other hand, in the new regulation of transboundary movements of waste (14/05/2008) there are different procedures depending on the classification of waste. We can find too, the dangerous waste characteristics in the decree. This reglamentation is according with the Regulation (EC) no 1013/2006 of the European parliament and of the council of 14 June 2006 on shipments of waste which repeal the Council Regulation (EEC) No 259/93 of 1 February 1993 .

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

2009 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.

Austria

2009 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 2008/98/EC (Article 3/1). For the purposes of this Directive: "waste" means any substance or object which the holder discards or intends or is required to discard; OJ L 312/9 22.11.2008

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/filemanager/download/71540/>

A draft English translation is available via the focal point.

Belgium

2009 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 (EC) N° 1013/2006 is applied.

Canada

2009 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, which will set out the definition of non-hazardous wastes for final disposal for the purposes of controlling transboundary movements. This definition, consistent with international definitions, will include but may not be limited to, 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 (including recyclable materials) within their jurisdiction and is responsible for the licensing or certification of authorized facilities. Information regarding definitions for each province and territory can be found at <http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=FF9C3376-1#provincial>

Denmark

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Denmark.

According to EU directive 2008/98/EC article 3 (1): "waste" means any substance or object which the holder discards or intends or is required to discard. This is ratified in the Danish Statutory Order of Waste no. 1473/2009, § 2.

Finland

2009 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).

Germany

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Germany.

In Germany the provisions of the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste apply (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.

Ireland

2009 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.

New regulations are currently being drafted which will transpose the provisions of the Revised Waste Framework Directive – 2008/98/EC. The regulations, when finalized, will amend the definition of waste to “waste” means any substance or object which the holder discards or intends or is required to discard”.

Israel

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Israel.

Italy

2009 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, the Regulation (EC) N. 1013/2006 and as defined in Article 1(1)(a) of Directive 2006/12/EC.

Luxembourg

2009 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.

Malta

2009 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.

Monaco

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Monaco.

Norway

2009 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).

Portugal

2009 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.

Sweden

2009 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.

United Kingdom of Great Britain and Northern Ireland

2009 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.

UN Region: Central and Eastern Europe

Armenia

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Armenia.

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.

Bosnia & Herzegovina

2009 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.

Bulgaria

2009 National definition of waste used for the purpose of transboundary movements of waste exists in 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

2009 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, 39/09) pursuant to this Act, which the holder discards, intends to or must discard. List of categories of waste is harmonised with Annex I of Directive 2006/12/EC of the European Parliament and of the council of 5 April 2006 on waste.

Further, waste codes are harmonized with the European List of waste.

Czech Republic

2009 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.

Estonia

2009 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.

Georgia

2009 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).

Hungary

2009 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).

Latvia

2009 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)

Montenegro

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Montenegro.

The definition of waste is given in the Waste management law (2005/2008):

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

Poland

2009 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.

Republic of Moldova

2009 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.

Romania

2009 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 no. 78/2000 concerning the Waste Regime approved with modifications by Law no. 426/2001 with all further updates is generally based on the relevant definitions of the Basel Convention and the pertinent EU Directives.

Serbia

2009 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 Law of Waste Management (Off. Gaz. RS no. 36/09 and 88/10), Article 5. para 17) waste means any substance or object, contained in the list of waste categories (Q list), which the holder discards or intends or is required to discard, in accordance with the law; 15) non-hazardous waste means waste without hazardous characteristics; 18) hazardous waste means waste that because of its origin, composition or concentration of dangerous substances may endanger the environment and human health and has at least one of the dangerous properties governed by special regulations, including the package into which the hazardous waste was or is packed; Article 71. The cross-border movement of waste shall be accompanied by documentation regarding the movement from the place where the movement began to the final destination in accordance with the national and international regulations on cross-border movement.

The waste for whose treatment or disposal in an ecologically acceptable and efficient way there are no technical possibilities and facilities in the Republic of Serbia, shall be exported.

Non-hazardous waste may be imported for the purposes of treatment provided that there is a facility for the treatment of such waste.

The import of waste for the purpose of disposal or recovery for energy purposes shall be forbidden in accordance with this Law.

The import of hazardous waste shall be forbidden.

By way of exception from paragraph 6 of this Article, certain hazardous wastes which the refining industry in the Republic of Serbia uses as secondary raw materials, in accordance with the national goals for the treatment of such wastes, may be imported based on the permit issued by the Ministry. The hazardous waste import referred to in paragraph 7 of this Article may be permitted only if there is a facility for the treatment of such waste, for whose operation a permit has been issued, in accordance with the Law.

Slovakia

2009 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.

Slovenia

2009 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.

Ukraine

2009 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").

UN Region: Latin America and the Caribbean

Argentina

2009 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).

Barbados

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Barbados.

Bolivia

2009 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.

Brazil

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Brazil.

Law n° 12.305 from 02/08/2010 – National Policy on Solid Waste – defines wastes as it is in: ABNT NBR 10.004 - general definition for any purpose.

Costa Rica

2009 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.)

Are those that due to its chemical activity and its toxic, explosive, corrosive, radioactive, biological, bioinfectious and flammable characteristics or due its expositions time may cause damage to human health and the environment. (Law N° 8839).

Cuba

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Cuba.

Ecuador

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Ecuador.

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

Guatemala

2009 There is no national definition of waste used for the purpose of transboundary movements of waste in Guatemala.

Honduras

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Honduras.

“Desechos: Todo material sólido, pastoso, líquido o gaseoso descartado después de haber sido utilizado lo mejor y más útil de un producto o sustancia, y que deben ser eliminados, ya que posee características peligrosas, es decir reactivas, inflamables, corrosivas y tóxicas que representen un riesgo para la salud humana, el ambiente y la propiedad de acuerdo a las disposiciones legales vigentes”.

Mexico

2009 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.

Nicaragua

2009 National definition of waste used for the purpose of transboundary movements of waste exists in Nicaragua.

Ratificación y adopción del Convenio de Basilea: se retoma lo establecido en el párrafo 1 del artículo 2 del Convenio de Basilea, en donde se definen los “Desechos” como “las sustancias u objetos a cuya eliminación se procede, se propone proceder o se está obligado a proceder en virtud de lo dispuesto en la legislación nacional.”

Decreto N°47-2005 “Política Nacional sobre Gestión Integral de Residuos Sólidos”, del 21/07/2005:

Desechos: subproductos residuales que se destina a un relleno sanitario o confinamiento previo con o sin tratamiento, que para su propietario no tiene valor alguno.

Norma Técnica Ambiental N°05 014-01, “Norma Técnica Ambiental para el Manejo, Tratamiento y Disposición Final de los Desechos Sólidos No-Peligrosos”:

Desechos sólidos no peligrosos: todos aquellos desechos o combinación de desechos que no representan un peligro inmediato o potencial para la salud humana o para otros organismos vivos. Dentro de los desechos no peligrosos están: desechos domiciliarios, comerciales, institucionales, de mercados y barrido de calles.

Saint Lucia

2009 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.

Venezuela

2009 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.
