

657 SE II

Act on Amendments to the Waste Act and Related Amendments to Other Acts

Section 1. Amendments to the Waste Act

The following amendments shall be made to the Waste Act:

- 1) in Section 1 (1) 3), the words ‘and administrative supervision’ are added after the word ‘supervision’;
- 2) Section 1 (5) is amended to read as follows:
‘(5) The provisions of the Public Procurement Act shall apply to the ordering of organised waste transport and the reuse and disposal of waste covered thereby, as well as to the ordering of the reuse and disposal of waste collected by order of a local government, taking into account the specifics of this Act.’;
- 3) subsection (5¹) is added to Section 1 and worded as follows:
‘(5¹) The provisions of Section 12 of the Public Procurement Act shall not apply to the commissioning of organised waste transport.’;
- 4) Section 1 (5¹) is amended to read as follows:
‘(5¹) Commissioning organised waste transport and the recovery and disposal of waste covered by organised waste transport and the recovery and disposal of waste collected by order of the local government shall not be subject to the provisions of Section 12 of the Public Procurement Act.’;
- 5) subsection (7) is added to Section 1 to read as follows:
‘(7) The administrative supervision of the activities of local governments provided for in this Act shall be governed by Section 75¹–75³ of the Government of the Republic Act, taking into account the specifics of this Act.’;
- 6) in Section 11 (2), the words ‘, except for the supervision of waste management’ are deleted;
- 7) subsection (4) is added to Section 12 to read as follows:
‘(4) The basis for granting the support referred to in subsection 3 of this Section may be the fulfilment of the obligation to achieve the target rate for the separate collection of municipal waste specified in Section 136³ (5) of this Act.’;
- 8) subsection (4¹) is added to Section 24, worded as follows:
‘(4¹) The minister responsible for the sector and the environmental inspection body shall have the right to obtain from the manufacturer or importer of articles ____ data on the products manufactured or imported into Estonia and the substances used in their manufacture, as well as the waste resulting therefrom and waste management.’;

9) subsections (1⁸) and (1⁹) are added to Section 26¹, worded as follows:

‘(1⁸) A person other than a producer who receives from a waste holder waste arising from products of concern and recovers or disposes of such waste is required to submit to the register of products of concern information concerning the management of waste arising from products of concern in accordance with the obligations provided for in Section 25¹ of this Act and the requirements established on the basis of Section 26(3) of this Act.

(1⁹) If the person referred to in subsection (1⁸) of this Section provides a service to the producer of the product of concern and submits data to the register of product of concern on their behalf, the obligation of the producer of the product of concern to submit data on the management of waste generated from product of concern shall be deemed to have been fulfilled.’;

10) Section 26⁹ (1) is amended and worded as follows:

‘(1) Only a producer or association of producers registered in the register of products of concern or a person holding an environmental protection permit who complies with the obligations related to the extended producer responsibility of a producer, including the obligation provided for in Section 26¹ (1) ⁸ of this Act, is permitted to receive and buy products of concern or parts separated from products of concern as waste.’;

11) in Section 31(1¹), after the word ‘recycling’, the words ‘and the separate collection of municipal waste referred to in subsection (5) of that Section’ are added;

12) subsection (3¹) is added to Section 31, worded as follows:

‘(3¹) Paper and cardboard packaging waste shall be collected together with paper and cardboard waste.’;

13) Section 31 (5) is repealed;

14) in Section 31 (6), the introductory phrase is supplemented by the words ‘and in Section 15 of the Packaging Act’ after the words ‘in subsections (3) and (4)’;

15) in Section 31 (7), after the word ‘appropriately’, the words ‘based on regional characteristics, such as expected waste quantities, built-up areas, population density and the specific characteristics of the road and street network’ are added;

16) subsection (8) is added to Section 31 to read as follows:

‘(8) When organising the separate collection of municipal waste, it must be ensured that this is as convenient, motivating and cost-effective as possible for the waste holder compared to the transfer of mixed municipal waste or incorrectly classified waste.’;

17) Section 42 (1) is amended to read as follows:

‘(1) The waste management plan of a local government shall be established by a legal act of the council of the local government. The local government waste plan is part of the general development plan for the local government and covers the development of waste management in the municipality or city. The waste management plan may be drawn up for several local authorities.’;

18) subsection (1¹) is added to Section 42, worded as follows:

‘(1¹) The waste plan shall be drawn up taking into account the provisions of the sectoral development plan. When preparing and implementing the waste management plan, the local government shall take into account that all activities and measures planned within the waste

management plan are aimed at fulfilling the obligation to achieve the separate collection target for municipal waste.’;

19) in Section 42 (3) 3), the text ‘Development of separate collection of waste with deadlines for specific waste types’ is replaced by the text ‘Activities necessary to achieve the separate collection target indicator for municipal waste by year’;

20) Section 42 (3) 6) is amended to read as follows:

‘6) an assessment of the need to create new or change existing collection systems, taking into account the need to make exceptions under Section 31(6) of this Act and the principles set out in Sections 31(7) and 31(8) of this Act;

21) Section 42 (3) 7) shall be supplemented with the words ‘and the collection of waste transport service fees, the purpose of such collection and the organisation of accounting after the word "financing’;

22) clauses 13) and 14) of Section 42 (3) are amended and worded as follows:

‘13) a plan for reducing the incineration and landfilling of municipal waste and biodegradable waste suitable for reuse, recycling or other recovery, and measures to be taken to limit incineration and landfilling for energy recovery;

14) a plan for the collection and transport of packaging and packaging waste and its transfer to recovery organisations, including the establishment of a public collection system for packaging waste at points of sale’;

23) Clauses 17) and 18) are added to Section 42 (3), worded as follows:

‘17) a plan for the promotion of reuse and the prevention of waste generation;

a18) plan for cooperation with other local governments in the implementation of the waste management plan.’;

24) in Section 44 (4), number ‘3’ is replaced by number ‘3¹’;

25) Section 64 is repealed;

26) the first sentence of Section 66 (2) is amended to read as follows:

‘The local government shall organise the collection and transport of household waste, in particular rubbish or mixed household waste, bio-waste and non-refundable packaging waste generated in households, within its administrative territory.’;

27) in Section 66 (6), the word ‘quantity’ is replaced by the words ‘volume or weight’;

28) The Act is supplemented with Sections 66¹–66⁸ worded as follows:

‘§ 66¹. Alternative organised waste transport

(1) A local government may organise the transport of waste referred to in Section 66 (1) of this Act in such a way that the sole customer of the waste transport company and the payer of the fee to it is the local government, and the obligation to keep records of waste holders and to settle accounts with them also lies with the local government.

(2) The amount of the service fee for alternative organised waste transport and the procedure for its payment shall be established by the council of the local government.

Section 66². Alternative organised waste transport service fee

(1) Service fee for alternative organised waste transport is the fee specified in Section 66 (5) of this act, divided into the fee paid to cover the costs of waste management and service fee for the transport and treatment, other than treatment of packaging waste, of waste indicated to the waste holder registered for organised waste transport.

(2) The fee payable to cover waste management costs is the fee payable to cover the costs incurred pursuant to subsection (4) of this Section, which the local government uses to organise and develop waste management, including to achieve the target for separate collection and recycling of waste.

(3) The service fee for the transport and handling of waste by a waste holder who has joined the organised waste transport system is the price of the transport and handling of waste transferred by the waste holder at the site of waste generation. The price list for the transport and handling of waste covered by organised waste transport shall be published on the official website of the local government.

(4) The costs required for the organisation and development of waste management, including the achievement of the target for separate collection and recycling of waste, are as follows:

- 1) costs of collection containers and collection facilities;
- 2) the costs of transporting and preparing waste collected outside organised waste transport;
- 3) the costs of handling waste collected outside organised waste transport;
- 4) the costs of the establishment, operation, closure and after-care of a waste treatment facility, including the costs of preparing for the establishment of a waste treatment facility;
- 5) the costs associated with reuse solutions and waste prevention;
- 6) data management, including the costs of maintaining the register of waste holders and settling accounts with waste holders;
- 7) the costs of information and consultation on waste;
- 8) the costs of monitoring compliance with the requirements of the Waste Act;
- 9) other costs aimed at improving waste management or achieving the target for separate collection and recycling of waste.

(5) The following shall not be included in the costs necessary for the organisation and development of waste management, including the achievement of the target indicators for separate collection and recycling of waste:

- 1) service fee for the transport and management of waste provided to the waste holder involved in the organised waste transport and the cost of the management of the waste covered by the extended producer responsibility;
- 2) a penalty payment or fine imposed on a local government by legislation;
- 3) expenditure up to the amount of non-repayable support paid by the State to the local government;
- 4) other costs not necessary for the development of waste management, including compliance with the obligations to achieve the separate collection and waste recovery target.

Section 66³. Obligation to pay a service fee for alternative organised waste transport

(1) The waste transport fee shall be paid by the waste holder who has subscribed to the organised waste transport.

(2) A local government may also apply the waste transport service fee specified in Section 66² (2) of this Act to waste holders exempted from organised waste transport pursuant to

Section 69 (2¹), (4) and (4¹) on the basis of the estimated volume of waste management services consumed by the waste holder exempted from joining the organised waste transport system.

Section 66⁴. Bases for calculation of the amount of an alternative organised waste transport service fee and invoice data

(1) The provisions of Section 66 (5) and (6) of this Act shall apply to the service fee for the transport of waste. The service fee for waste transport shall be justified, proportionate to the costs of providing the service and based on cost-effectiveness.

(2) The waste transport service fee consists of a fee paid to cover waste management costs and a service fee for the transport and handling of waste provided to the affiliated waste holder, except for the handling of packaging waste.

(3) The amount payable to cover waste management costs is up to 50% of the waste collection service fee, but not less than one euro per calendar month.

(4) The monthly waste transport fee for a waste holder exempt from subscription to organised waste transport pursuant to Section 69 (2¹), (4) and (4¹) of this Act is a fixed amount corresponding to the lowest fee paid by the waste holder of the same municipality which subscribed to organised waste transport for the preceding year to cover the costs of waste management.

(5) The waste holder and the apartment association member to whom the organised waste transportation service was provided will be presented with an invoice with the necessary information for billing, indicating separately the following:

- 1) the remuneration established pursuant to Section 662 (4) of this Act;
- 2) the fee for the transport service, including the separate packaging transport service;
- 3) a fee for the handling service;
- 4) the fee for the additional service.

Section 66⁵. Fundamentals of the use of the alternative organised waste transport service fee

(1) The waste transport service fee is used only for the organisation of waste management specified in Section 11 (1) of this Act, for achieving the waste recovery targets provided for in Sections 136³ (1) and (2) and the separate waste collection target provided for in Section 136³ (5), and the transfer of funds to other areas is prohibited. A local government shall ensure the separation of the expenses of its areas of activity and this shall be reflected in the accounts of the local government in the accounts of income, expenses and assets.

(2) Each year, the local government shall draw up an overview of the determination and implementation of the waste transport service fee in the previous calendar year. The overview shall present data on:

- 1) the receipt and use of the waste transport service fee, broken down by all cost components listed in Section 662 (3) and (4) of this act;
- 2) the costs incurred by recovery organisations for the transport of packaging waste.

(3) The local government shall publish the overview referred to in subsection (2) of this Section on its official website in the first quarter of each year.

Section 66⁶. Collection of service fees for alternative organised waste transport

(1) The collection of waste transport service fees is organised by the municipal or city government within the territory of the local government.

(2) A local government may organise the collection of the service fee for the transport of waste in the form provided for in Section 62 of the Local Government Organisation Act in cooperation with other local authorities or through a company, non-profit association or foundation established and directly controlled by a local government, on the basis of an administrative agreement.

(3) A local government may also organise the keeping of records on waste holders and the submission to the waste holder of an invoice containing the information specified in Section 66⁴ (5) of this Act, and the amount prescribed in this invoice is paid to the local government, through the provider of the organised waste transport service on the basis of a contract under public law.

Section 66⁷. Payment and contestation of the alternative organised waste transport service fee

(1) The waste transport service fee shall be paid on the basis of the invoice referred to in Section 66⁴ (5) of this Act by the due date specified therein to the local government or to the person referred to in Section 66⁶ (2) of this Act with whom the local government has entered into an administrative contract.

(2) The waste transport service fee is deemed to have been paid on time if it is received in the bank account indicated on the invoice by the due date for payment.

(3) Interest shall be calculated pursuant to the procedure provided for in the Taxation Act on the amount of the waste transport service fee paid to the local government or a person specified in Section 66⁶ (2) of this Act later than the established term and on the amount overpaid by the waste holder for the benefit of the local government or a person specified in Section 66⁶ (2) of this Act.

(4) If a waste holder considers that the amount of the waste transport service fee imposed on them on the basis of the invoice specified in Section 66⁴ (5) of this Act infringes their rights, they may lodge an objection with the municipality or city administration or lodge an appeal with the administrative court.

Section 66⁸. Establishment of waste transport service fees in local governments exempt from the obligation to organise organised waste transport

(1) A local government that is not obliged to organise waste transport pursuant to Section 135 (2) of this Act may establish a waste transport service fee for the organisation and development of waste management, including the achievement of waste sorting and recycling targets, which shall cover the costs specified in Section 66² (4) of this Act.

(2) The amount of the waste collection service fee and the payment procedure shall be established by the council of the local government.

(3) The provisions of Section 66² (2), (4) and (5), Section 66⁴ (1), (2) and (5), Section 66⁵, Section 66⁶ (1) and (2) and Section 66⁷ of this Act shall apply to waste transport service fees.

(4) The waste transport service fee is paid to the local government by the waste holder who has a place of residence or business in the administrative territory of that local government.

(5) The service fee for the transport of waste shall be a fixed amount of up to 100 % of the cost of the municipal waste transferred to the waste management operator in the previous year divided by the number of persons resident or operating in the administrative territory of the local government concern, but not less than EUR 1 per calendar month per waste holder.

(6) When determining the waste transport service fee for each waste holder, the type, area and intended use of the immovable property used by the waste holder shall be taken into account.'

29) the first sentence of Section 67 (1) is amended to read as follows:

"In order to find a provider of organised waste transport services, a local government shall, independently or in cooperation with a local government cooperation organisation or other local governments, apply the Public Procurement Act, taking into account the specific provisions set out in this Act.";

30) in Section 67 (2), the words ' , or a company founded by a local government and directly controlled by it' are added after the words 'association of local authorities';

31) Section 67 (3) is amended to read as follows:

'(3) The local government shall draw up the public procurement documents in order to find the provider of the organised waste transport service on the basis of Section 77 (4) of the Public Procurement Act and taking into account the particulars laid down in this subsection. In order to identify the provider of the organised waste transport service, the tender documents shall specify, inter alia, the following conditions:

- 1) area of transport;
- 2) the types of waste transported;
- 3) expected quantities of waste;
- 4) waste management facility or facilities;
- 5) the duration of the procurement contract;
- 6) transport conditions, such as frequency, time and technical conditions of transport;
- 7) optional ancillary services relating to the transport of waste, for which a surcharge may be charged, and ancillary services relating to the transport of waste, which are directly linked to the transport of waste and the costs of which must be included in the service fee for the organised transport of waste;
- 8) the number of waste holders deemed to have joined the organised waste transport, the number, type and size of containers and number of discharges per year, by waste type, of the collection tanks they use, the expected consumption of additional voluntary services and other data describing the volume of service consumption;
- 9) the basic principles of customer service, if the management agreement transfers the task of settling with the _ waste holders and invoicing ____ to the transport operator;
- 10) the obligation of the waste transport operator to verify that the waste being transferred has been correctly separately collected.';

32) Subsection (3¹) is added to Section 67, worded as follows:

'(3¹) A separate procurement contract shall be concluded with the packaging waste transporter.';

33) Section 67 (5) is amended to read as follows:

‘(5) The number of residents of the transport area specified in subsection (3) 1) of this Section does not exceed 100 000.’;

34) in Section 67 (7), the word ‘public procurement’ is replaced by the word ‘service’;

35) in Section 68(1), the words ‘as a result of public procurement’ shall be replaced by the words ‘for the provision of services’;

36) subsection (2¹) is added to Section 69 to read as follows:

‘(2¹) If the provision of waste transport services on registered immovable property administered by the Ministry of Defence or in the possession of the Ministry of Defence is significantly impeded due to national security requirements, the local government may, upon the request of the waste holder, grant an exemption from joining the organised waste transport service for a certain period of time.’;

37) Sections 69 (4³), (5) and (5¹) are repealed;

38) Section 70 (1) is amended to read as follows:

‘(1) A local government shall organise the recycling or disposal of waste collected under its authority, except where this is covered by the extended producer responsibility obligations of the producer.’;

39) subsections (1¹) to (1⁴) are added to Section 70, worded as follows:

‘(1¹) For the recovery or disposal of waste collected by order of a local government, except in the case where it is covered by an obligation relating to extended producer responsibility, the local government shall, independently or in cooperation with other local governments, award a procurement contract in accordance with the Public Procurement Act.

(1²) Separate procurement contracts shall be concluded with the bio-waste and mixed waste handler, even if both types of waste are handled by the same service provider.

(1³) The recovery of bio-waste shall ensure the recycling of bio-waste and comply with the conditions set out in Section 2¹ (1) of this Act.

The (1⁴) duration of the contract for the provision of the service of recovery or disposal of waste collected at the request of a local government shall not exceed five years.’;

40) in Section 70 (2), the text ‘types of waste covered by organised waste transport’ is replaced by the text ‘waste collected’;

41) Section 71 (2) 2) is amended to read as follows:

‘2) measures to prevent or, where this is not possible, reduce the risk to human health and the environment from waste, including regular collection of bio-waste at least once every four weeks if composting of bio-waste is not ensured at the site of waste generation, regular removal of mixed municipal waste at least once every 12 weeks and regular removal of packaging waste without deposit generated in households at least once every 12 weeks, based on cost-effectiveness and environmental sustainability’;

42) in Section 71 (2) 8), the words ‘the waste collection point(s) to which the waste covered by the organised waste transport must be delivered, including delivery’, are deleted;

43) clauses 12) and 13) of Section 71 (2) are amended and worded as follows:

‘12) the organisation of waste collection in sparsely populated areas where waste transport has not been organised pursuant to Section 66 (3) of this Act;

13) order for the collection of bulky waste.’;

44) Section 71¹ is supplemented by subsection (1¹), worded as follows:

‘(1¹) The purpose of the register of waste holders is to keep records of waste holders and to publish information on waste management.’;

45) Section 71¹ (2) is amended and worded as follows:

‘(2) No fee may be charged for the submission of data to the register of waste holders, for the release of data from the register and for the exchange of data with related databases.’;

46) Section 71¹ shall be supplemented with subsections (3) and (4) in the following wording:

‘(3) The waste holders register processes general personal data.

(4) Personal data entered in the register of waste holders shall, after the end of the contract for organised waste transport, be transferred to an archive where they shall be kept for a period of up to five years, after which they shall be deleted.’;

47) Section 71² is added to Chapter 4 of the Act, worded as follows:

‘§ 71². Cooperation of local government units in the organisation of waste management

(1) Local government units may establish a joint agency or institution for the organisation of waste management, the establishment, operating principles and management of which are governed by the provisions of the Local Government Organisation Act in Sections 62¹–62³, with the exceptions provided for in this Act.

(2) In addition to the cases provided for in this Act, local government units may, by administrative agreement, transfer the obligation to advise and inform waste holders to the cooperation body referred to in Section 62 of the Local Government Organisation Act of the Local Government Organisation Act or to a company, non-profit association or foundation established by a local government or association of local governments.’;

48) Section 85 (1) is amended to read as follows:

‘(1) In addition to the grounds specified in Section 61 (1) of the General Part of the Environmental Code, the permit issuer may suspend the validity of a waste permit for up to one year if the permit holder has repeatedly failed to submit the waste report for the waste management site associated with the waste permit by the deadline or has repeatedly failed to prepare a waste transport consignment note, if a waste transport consignment note is required.’;

49) Section 85 (1¹) is amended to read as follows:

‘(1¹) In addition to the grounds provided for in Section 62 (2) of the General Part of the Environmental Code Act, the issuer of permits may revoke a waste permit if the holder of the permit has repeatedly failed to submit the waste report of the waste management facility to which the waste permit relates by the due date or has repeatedly failed to submit the consignment note for the transport of waste if a consignment note for the transport of waste is required.’;

50) Section 94¹ (8) 1) is amended and worded as follows:

1) the holder of the permit has repeatedly failed to submit the waste report related to the waste permit by the due date or has repeatedly failed to submit the consignment note for the transport of waste if a consignment note for the transport of waste is required;

51) Section 98⁶ 4) is amended to read as follows:

‘(4) the applicant does not have the technical means and the possibility to submit the consignment note specified in Section 117¹ of this Act via the Information System for Environmental Decisions;’;

52) Subsection (6) is added to Section 98⁸, worded as follows:

‘(6) When applying for waste collection registration, the person referred to in Section 98⁷ (2) 3) of this Act shall submit information on the total quantities of waste handled during the calendar year, distinguishing between ordinary and hazardous waste.’;

53) Subsection (4) is added to Section 98⁹, worded as follows:

‘(4) The person referred to in subsection 98⁷ (2) 3) of this Act shall enter in the waste collection register information on the total quantities of waste handled during the calendar year, distinguishing between non-hazardous and hazardous waste.’

54) Section 98¹¹ (2) 4) is amended and worded as follows:

‘(4) the applicant for registration has repeatedly failed to submit a waste report within the deadline or has repeatedly failed to submit a waste transport consignment note when a waste transport consignment note is required.’;

55) Section 98¹⁵ (2) 2) is amended and worded as follows:

‘(2) the registered person has repeatedly failed to submit the waste report for the waste management site associated with the registration by the due date or has repeatedly failed to submit the waste transport consignment note, if a waste transport consignment note is required.’;

56) Section 117 (1) is amended to read as follows:

‘(1) A person holding an environmental protection permit shall submit a waste report once a quarter via the ____ Information System for Environmental Decisions. ____’;

57) Section 117 (1¹) is amended to read as follows:

‘(1¹) The obligation to submit a waste report does not extend to the following persons:

- 1) brokers registered on the basis of Section 987 (2) 4) of this act;
- 2) brokers registered on the basis of Section 987 (2) 5) of this act;
- 3) an operator of a closed landfill with a waste permit;
- 4) a waste carrier registered under Section 987 (2) 2) of this Act;
- 5) a person holding an integrated permit whose waste-related activities are not regulated by the integrated permit.’;

58) Subsection (1²) is added to Section 117 to read as follows:

‘(1²) The composition of the waste report and the procedure for its submission shall be laid down by a regulation of the minister responsible for the area.’;

59) Subsections 2–5 of Section 117 shall be repealed;

60) the Act is supplemented with Section 117¹ and 117², worded as follows:

‘§ 117¹. Waste transport consignment note and consignment note details

(1) The waste transporter, transferor, reseller or recipient shall submit a waste transport consignment note for each waste transport via the Information System for Environmental Decisions before the start of transport.

(2) The consignment note for the waste transport must also be submitted in the case of waste transport between the undertaking's own sites.

(3) The provisions of subsection (1) of this Section do not apply to a natural person in the case of transport of waste generated in the household, a legal person in the case of transport of waste generated during the person's own activities and a rescue service agency in the case of transport of waste collected in the course of rescue activities.

(4) If the waste is purchased or sold before transport, the details of the purchase and sale of the waste must be recorded on the consignment note.

(5) If the obligation laid down in subsection (1) of this Section has not been fulfilled, the waste transport consignment note shall be submitted by the consignee of the waste prior to the receipt of the waste.

(6) The composition of the data of the consignment note for the transport of waste, including the general data of persons, and the procedure for submission of the consignment note for the transport of waste shall be established by a regulation of the minister responsible for the area.

Section 117². Statistical data

Statistical work in the field of waste management shall be organised in accordance with the procedure laid down in the Official Statistics Act.';

61) in Chapter 11. the title is amended to read as follows:

'Chapter 11. STATE AND ADMINISTRATIVE SUPERVISION';

62) Chapter 11 of the Act shall be supplemented with Sections 119⁷–119⁹ in the following wording:

'§ 119⁷. Administrative supervision

(1) Administrative supervision over the legality of the local government unit's compliance with the obligation to achieve the target for separate collection of municipal waste set by this Act and the legislation established on the basis thereof is exercised by the Environmental Board (hereinafter referred to as the administrative supervision body).

(2) The purpose of administrative supervision is to monitor the achievement of the target for separate collection of municipal waste.

(3) A report on the achievement of the target for the separate collection of municipal waste by local governments is published annually on the environmental portal.

Section 119⁸. Competence of administrative supervisory authority

(1) The administrative supervisory authority has the right to:

- 1) examine the evidence and information at the disposal of the local government on the basis of which it is possible to ascertain the facts relevant for the performance of the functions of the administrative supervisory authority and obtain copies thereof;
- 2) obtain explanations from the governing body of the local government;
- 3) receive information from the local government on the implementation of legislation and the funds earmarked for waste management;
- 4) make proposals to the local government for the improvement of its activities;
- 5) issue precepts to the local government in the event of failure to achieve the target provided for in Section 136³ (5) of this Act.

(2) The administrative supervision sample shall be selected from among all local governments on the basis of the principle of monitoring the performance of the obligation provided for in Section 136³ (5) of this Act.

Section 119⁹. Precept

(1) A precept specified in Section 119⁸ (1) 5) of this Act shall contain the following information:

- 1) the person to whom the precept is addressed;
- 2) the basis for issuing the precept, with a reference to the relevant provisions of the legislation;
- 3) the obligation to take the necessary measures to prevent or stop a violation of the law;
- 4) The date of issuing the precept;
- 5) the time limit for compliance with the precept;
- 6) a warning that non-compliance with the obligation may result in the imposition of penalty payments;
- 7) the name, position and signature of the official conducting administrative supervision;
- 8) the means, time limit and procedure for challenging the precept.

(2) Upon failure to comply with a precept, the maximum rate of a penalty payment imposed pursuant to the procedure provided for in the Substitutive Enforcement and Penalty Payment Act is EUR 9600.’;

63) Section 120⁴ is amended and worded as follows:

‘§ 120⁴. Transporting waste without a waste transport consignment note and in violation of the requirements of a waste transport consignment note

(1) The transport of non-hazardous waste without a waste transport consignment note, where a waste transport consignment note is required under Section 117¹ of this Act, or in violation of the requirements for a waste transport consignment note established under Section 117¹ (5) of this Act, shall be punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person: shall be punishable by a fine of up to EUR 100 000.

(3) The transport of hazardous waste without a waste transport consignment note, if a waste transport consignment note is required under Section 117¹ of this Act or in violation of the requirements for a waste transport consignment note under Section 117¹ (5) of this Act, shall be punishable by a fine of up to 300 fine units.

(4) The same act, if committed by a legal person:

shall be punishable by a fine of up to 200 000 euros.’;

64) the title of Section 136³ is amended to read as follows:

‘136³. Target indicators for the separate collection and recovery of waste’;

65) Subsections (5) and (6) are added to Section 136³ in the following wording:

‘(5) In 2027, local governments shall ensure that at least 67 per cent of the municipal waste generated in their territory during the calendar year is collected separately. This percentage shall increase by one percentage point each subsequent year from the base rate of the previous year, up to 75 per cent from 2035 onwards.

(6) The procedure for calculating the target set out in subsection 5 of this Section, collecting data thereon and publishing it shall be established by a regulation of the minister responsible for the area, taking into account the provisions of Article 11a of Directive 2008/98/EC of the European Parliament and of the Council.’;

66) the text of Section 136¹³ is deemed to be subsection (1), and the following subsection (2) is added to the Section to read as follows:

‘(2) A local government shall bring its waste plan and waste management regulations into conformity with the provisions of Section 42 and Section 71 (2) of this Act upon amendment of the waste plan or waste management regulations or upon establishment of new ones, but no later than 31 December 2030.’;

67) the Act is supplemented with Sections 136²³–136²⁵ worded as follows:

‘§ 136²³. Implementation of material-based collection of paper and cardboard waste

A local government shall bring the organisation of the collection of paper and cardboard waste into compliance with the provisions of Section 31 (3¹) this Act as of the new ordering of organised waste transport, but not later than by 31 December 2030.

Section 136²⁴. Implementation of the service fee for alternative organised waste transport

(1) In the year of the first implementation of organised waste transport referred to in Section 66¹ (1) of this Act, the waste holder exempted on the basis of Section 69 (2¹), (4) and (4¹) of this Act shall be exempt from the waste transport service fee up to one euro per calendar month.

(2) In the year in which the waste transport service fee specified in Section 66⁸ (1) of this Act is first applied, the amount of the fee to be paid to the waste holder shall not exceed EUR 1 per calendar month.

Section 136²⁵. Imposition of penalty payments resulting from administrative supervision

The penalty payment referred to in Section 119⁹ (3) of this Act shall apply from 1 January 2031.

Section 136. ²⁶ Implementation of changes to waste recycling and disposal orders

Agreements concluded pursuant to Section 1 (5¹) on ordering the recovery and disposal of waste covered by organised waste transport and the recovery and disposal of waste collected

by order of the local government in the version of this Act effective until 31 December 2030 shall be aligned with the requirements of this Act by 1 January 2031.'

Section 2. Amendment to the District Heating Act

Subsection (3¹) is added to Section 8 of the District Heating Act, worded as follows:

'(3¹) The heat cap does not include the pollution charge for the energy use of waste provided for in Sections 18¹ and 20¹ of the Environmental Charges Act.'

Section 3. Amendment of the General Part of the Environmental Code Act

Section 40¹ of the General Part of the Environmental Code Act is amended as follows:

1) subsection (1) is supplemented by clause 12), worded as follows:

'12) Preparation and submission of ____ waste transport consignment notes ____.'

2) subsection (4) is amended to read as follows:

'(4) The joint controllers of the Information System for Environmental Decisions are the Environmental Board and the Environmental Agency, and the authorised processor is designated in the statutes of the database.'

Section 4 Amendment of the Environmental Charges Act

The following amendments are made to the Environmental Charges Act:

1) clause 7¹ is added to Section 3 (2) to read as follows:

'7¹) incineration of waste for energy recovery (hereinafter referred to as *incineration of waste for energy recovery* or *energy recovery from waste*);';

2) in the second sentence of Section 3 (6), the words 'and the use of best available techniques' are replaced by the words ', the use of best available techniques and the principles of the circular economy';

3) in Section 4 (1), the words 'and waste' are added after the words 'to redirect natural resources';

4) in Section 4 (3), the text 'to promote the circular economy' is added after the word 'to increase';

5) in Section 5 (1), the words ', incinerate waste for energy purposes' are added after the word 'pollutants';

6) in Section 5 (4), the words ', incinerates waste for energy purposes' are added after the word 'pollutants';

7) the first sentence of Section 5 (6) is amended and worded as follows: 'No environmental charge shall be levied if the use of natural resources, the release of pollutants into the environment, the use of waste for energy or its disposal takes place without an environmental permit or in quantities exceeding the permitted amount:';

8) Section 14 (1) and (2) shall be supplemented after the word ‘waste’ with the words ‘or incinerated for energy recovery purposes’;

9) Chapter 3, Division 1 of the Act is supplemented by Section 18¹ in the following wording:

‘§ 18¹. Application of pollution charges on the energy recovery of waste

(1) The pollution charge shall be applied when non-hazardous waste, with the exception of waste wood, is incinerated for energy use.

(2) ‘Timber waste’ for the purposes of this Act is discarded wood material generated in wood processing, production, construction and demolition activities, trade, landscaping or households and, in certain cases, in forestry.’;

10) Section 20¹ is added to the Act to read as follows:

‘§ 20¹. Pollution charge rates for energy recovery of waste

The pollution rates for energy use from waste per tonne of waste are as follows:

1) mixed municipal waste — EUR 60;

2) non-hazardous waste, with the exception of timber waste and waste specified in clause (1) of this Section, – EUR 40.’;

11) Section 21 (1) 2) is amended to read as follows:

‘2) non-hazardous waste, with the exception of the waste referred to in clauses 1) and 3) to 5) of this subsection – EUR 90;’;

12) clause 8) is added to Section 22, worded as follows:

‘8) waste is incinerated in quantities exceeding the permitted amount for energy recovery or without a permit.’;

13) Section 25¹ is added to the Act to read as follows:

‘§ 25¹. Increased rates of pollution charge forenergy recovery of waste in excess of permitted quantities

In the case of energy recovery of waste in quantities greater than those permitted in the environmental permit, the pollution tax rates provided for in Section 20¹ of this Act shall be increased five times.’;

14) in the heading of Section 26, the words ‘**and waste disposal**’ are replaced with the words ‘**, waste disposal and energy recovery**’;

15) subsection (4) is added to Section 26 to read as follows:

‘(4) In the case of energy recovery from waste without an environmental permit, including in the absence of an environmental permit for the type of waste incinerated, the pollution charges specified in Section 20¹ of this Act shall be increased tenfold.’;

16) in Section 32 (6), the words ‘intended for incineration for energy recovery’ are added after the word ‘exit’;

17) clause 4) is added to Section 32 (6¹), worded as follows:

‘4) waste energy use by waste management sites.’;

18) subsection (6⁵) is added to Section 32 to read as follows:–

‘(6⁵) The energy recovery of waste does not require the submission of a pollution charge declaration if only wood waste is incinerated for energy recovery purposes.’;

19) in Section 33¹ (6), the words ‘or at the waste disposal site’ are replaced with the words ‘at the site and at the waste management facility’;

20) in Section 61 (1) 1), the words ‘and waste’ are replaced with the words ‘, energy recovery and’.

Section 5 Amendment of the Local Government Organisation Act

Clauses 36⁸) and 36⁹) are added to Section 22 (1) of the Local Government Organisation Act, worded as follows:

‘36⁸) determining the amount of the waste transport service fee and establishing the procedure for its payment in the case of waste transport organised pursuant to Section 66¹ (1) of the Waste Act;

36⁹) the establishment of the amount of the waste transport service fee and the procedure for its payment if the local government is not required to organise organised waste transport pursuant to Section 135 (2) of the Waste Law;’.

Section 6 Amendment to the Packaging Act

The Packaging Act is amended as follows:

1) in the Act, the words ‘local government body’ shall be replaced with the words ‘local government’ in the appropriate case;

2) clauses 1) to 3) of subsection 3 (7) are amended and worded as follows:

1) packaging of beverages – a beverage container with a capacity of up to three litres of liquid, including its cap and lid;

2) beverage bottle – a container for liquids with a narrow neck or mouth, with a capacity of up to three litres, including its cap and lid;

3) beverage cup – a beverage container intended either to be filled at the point of sale or sold separately for personal use, including its stopper and lid;’;

3) Section 4¹ is added to the Act to read as follows:

‘§ 4¹. Foreign body

For the purposes of this Act, a foreign body is a material or object which, by its nature, does not form part of packaging waste or which is not collected together with packaging waste under this Act.’;

4) Section 5 (1) 2) is amended to read as follows:

2) packaging of beverages, including packaging of beverages that hold more than three litres of liquid;

5) Section 10¹ shall be supplemented with subsection (1¹):

‘(1¹) ____ A member, partner or shareholder of the recovery organisation may not be a person whose main activity is waste management within the meaning of the Waste Act or who belongs to the same group as such a person, and that person may not have a dominant

influence over the recovery organisation within the meaning of the Competition Act or otherwise have a significant influence on the activities of the recovery organisation.’;

6) subsection (3) is added to Section 10¹ to read as follows:

‘(3) If a local government has organised the collection of packaging waste without a deposit in accordance with Section 15 (3) and (11) of this Act, it is the responsibility of the recovery organisation to organise the recycling of the collected packaging waste.’;

7) Section 12¹ (1) is amended and worded as follows:

‘(1) The packaging company shall be obliged to ensure the take-back and handling of the packaging of the packaged goods it places on the market and of the waste generated from the packaging and to bear the costs of those activities.’;

8) subsections (2¹) and (2²) are added to Section 12¹, worded as follows:

‘(2¹) In order to organise the management of waste generated from primary packaging other than reusable packaging, a packaging company is obliged to enter into a written contract with a recovery organisation.

(2²) A packaging company that sells packaging with a deposit to the end user or consumer may not transfer the obligation to accept the packaging with deposit to a recovery organisation.’;

9) Section 12¹ (4) 1) shall be supplemented with the text ‘, taking into account the provisions of Section 15², subsection 7, of this Act’ after the word "transport”;

10) Section 12¹ (6) shall be supplemented by the words ‘or expenses resulting from Section 15² of this Act’ after the word ‘refused’;

11) subsections (3) to (12) are added to Section 15 to read as follows:

‘(3) A local government shall organise the collection of packaging waste without deposit generated in households within the framework of organised waste transport in accordance with the Waste Act, taking into account the specific provisions set out in this Act.

(4) In densely populated areas, non-refundable packaging waste generated in households shall be collected separately at the generation site in a separate collection container as follows:

- 1) paper and cardboard packaging waste together with paper and cardboard waste;
- 2) beverage cartons together with plastic and metal packaging waste.

(5) In a densely populated area, glass packaging waste shall be collected separately in accordance with the plan referred to in Section 42 (3) 14) of the Waste Act either in the public container for glass packaging waste or, at the generation site, in the container for glass packaging waste.

(6) Outside a densely populated areas, a local government organises the collection of waste from municipal packaging without a deposit, in accordance with the plan referred to in Section 42 (3) 14) of the Waste Act, either at the generation site or through public containers, in a separate collection container as follows:

- 1) paper and cardboard packaging waste together with paper and cardboard waste;
- 2) beverage cartons together with plastic and metal packaging waste;
- 3) waste glass packaging.

(7) The local government shall ensure the collection of packaging waste without deposit generated in public spaces in densely populated areas and outside densely populated areas within the framework of organised waste transport, taking into account the plan referred to in Section 42 (3) 14) of the Waste Act and the comprehensive collection system for packaging waste.

(8) In addition to the organised collection of waste referred to in subsections (4) to (7) of this Section, the local government shall enable the separate collection of waste packaging with no deposit generated in households at the generation site as a voluntary additional service, the transport costs of which shall be paid by the waste holder to the local government or to the packaging waste transporter pursuant to Section 67(3) 9) of the Waste Act.

(9) The activities of local governments in the collection of packaging waste with no deposit generated in households within the framework of organised waste transport shall not prevent packaging companies and recovery organisations from fulfilling their obligations, including the achievement of the recycling targets specified in Section 36 of this Act.

(10) Before treatment operations, collected packaging waste is handed over at the __ waste management facility to the recovery organisations in proportion to their market shares. A waste management site is considered within the meaning of Section 19 of the Waste Act.

(11) The local government shall ensure the collection and transfer of packaging waste without a deposit generated in households to recovery organisations in sparsely populated parts of the administrative territory specified in Section 66(3) of the Waste Act and in a local government where waste transport is not organised in accordance with Section 135(2) of the Waste Act in accordance with Sections 15¹ (3) and (4) of this Act.

(12) The local government is responsible for ensuring that waste holders are informed about the organisation of the collection of packaging waste without deposit generated in households and the requirements for separate collection.‘;

12) Section 15¹ is added to the Act to read as follows:

‘§ 15¹. Agreements between a local government and a recovery organisation on the transfer of packaging waste

(1) The local government and all recovery organisations dealing with packaging waste without deposit generated in households shall agree in writing on a joint waste management site for the transfer of packaging waste prior to the organisation of waste transport referred to in Section 66 (1) of the Waste Act.

(2) Local governments and recovery organisations may agree on several joint waste management sites for the transfer of packaging waste or sites for the transfer of glass packaging waste.

(3) The local government and the recovery organisations shall agree in writing on the delivery of packaging and packaging waste collected in accordance with Section 15 (11) of this Act to the recovery organisations via the waste treatment facility and on the costs of transport and storage of the collected packaging and packaging waste to be borne by the recovery organisations.

(4) If the agreement referred to in subsections (1) to (3) of this Section is not reached, the local government shall designate a waste management site for the transfer of packaging waste

and the distribution of packaging waste in proportion to the market share of the reuse organisation.

(5) A local government may organise the conclusion of the written agreement referred to in this Act by means of cooperation in the form provided for in Section 62 of the Local Government Organisation Act with other local governments or through a company, non-profit association or foundation established and directly controlled by a local government, on the basis of an administrative agreement.’;

13) Section 15² is added to the Act to read as follows:

‘§ 15². Obligations of a recovery organisation in waste transport organised upon collection and the organisation of recovery of packaging and packaging waste and breakdown of costs

(1) The joint waste management site used for the transfer of packaging waste shall be provided by the recovery organisations, which shall bear the related costs in proportion to their market share.

(2) A recovery organisation may refuse to accept packaging waste collected separately by order of the local government if the proportion of foreign matter in it exceeds five per cent of the mass of the collected packaging waste.

(3) If the recovery organisation estimates that the share of foreign objects exceeds the mass percentage specified in subsection (2) of this Section, the recovery organisation shall prove it.

(4) If the recovery organisation proves that _____ the proportion of foreign matter in packaging waste delivered to the joint waste management site exceeds five per cent of the total weight of packaging waste collected, the local government shall reimburse the recovery organisation for the handling costs associated with such waste in proportion to the percentage of foreign matter exceeded.

(5) The recovery organisation shall reimburse the costs of collecting waste packaging without deposit from municipal waste transport organised by a local government to the extent specified in the ___procurement agreement, taking into account the agreement provided for in Section 15¹ (1) and (2) of this Act and subsections (4) and (7) of this Section.

(6) The recovery organisation shall reimburse the packaging waste transporter referred to in Section 67 (3¹) of the Waste Act for the costs referred to in subsection (5) of this Section and Section 15¹ (3) once per calendar month through the local government.

(7) The waste holder shall pay a fee of EUR 0.50 per collection occasion from the transport cost of collection of packaging waste without a deposit at the generation site to the local government or to the transporter of packaging waste pursuant to Section 67 (3) (9) of the Waste Act for each emptying of the collection container _____. Where collection bags are used, the waste holder shall pay EUR 0.50 of the cost of transport per collection procedure.’

14) the title of Section 16 is amended to read as follows:

‘Section 16 Packaging company’s obligations regarding the collection and recycling of packaging and packaging waste and the prevention of packaging waste generation’;

15) Section 16 (3) is supplemented after the words ‘recovery organisation’ with the words ‘not obliged to do so in accordance with Section 12¹ (2¹) of this Act’;

16) subsections (7) to (11) are added to Section 16 to read as follows:

‘(7) A packaging company which sells packaged goods to the end user or consumer shall provide information on the prevention of waste generation and littering.

(8) A packaging company that sells single-use plastic products to end users or consumers shall provide information on the impact of littering and other inappropriate disposal of these products on the environment, in particular the marine environment.

(9) A packaging company that sells packaged goods and uses a postal service or another transferor of goods acting in a commercial or professional capacity to deliver them may arrange for the packaging and packaging waste to be taken back free of charge from the end user and the consumer through the transferor of goods, giving prior notice to the end user and the consumer of this possibility.

(10) A packaging company is obliged to avoid mixing returnable packaging and packaging waste collected by type or sorted by packaging material with other waste or packaging material.

(11) A packaging company is obliged to ensure that end users and consumers have the opportunity to return packaging and packaging waste containing hazardous substances, taking into account the handling requirements set out in the Waste Act and the Chemicals Act and in the legislation established on the basis thereof.

17) the title of Section 17¹ is amended to read as follows:

‘§ 17¹. Requirements for the collection of packaging waste without deposit outside organised waste transport’;

18) the introductory sentence of Section 17¹ (1) is amended and worded as follows:

‘(1) If a local government has not organised the collection of packaging waste without deposit generated in households pursuant to Sections 15(3) and (11) of this Act, the recovery organisation shall ensure that the density of collection points for each recovery organisation is as follows:’;

19) Section 17¹ (1³) is amended to read as follows:

‘(1³) The recovery organisations and the local government shall determine the collection points referred to in subsection (1) of this Section in a written agreement.’;

20) in Section 17¹ (4¹), the text ‘at the collection sites specified in subsection 1 of this Section’ is added after the word ‘arrange’;

21) Section 17¹ (5) is amended and worded as follows:

‘(5) When collecting packaging waste without a deposit in accordance with subsection (1) of this Section, the recovery organisations shall ensure that all types of packaging materials are collected at each collection site.’;

22) subsections (6) and (7) are added to Section 17¹, worded as follows:

‘(6) The recovery organisations shall ensure that packaging waste which is not collected on the basis of Sections 15 (3) and (11) of this Act by order of a local government is accepted free of charge at least through the waste treatment plants of the local government.

(7) The end user or consumer is obliged to return packaging and packaging waste empty and sorted in accordance with the procedure established in the local government waste management regulations referred to in Section 15 (1) of this Act and in accordance with the requirements of the packaging company or recovery organisation.’;

23) in Section 17² (1) 1), the text ‘in Section 20 (2)’ is replaced with the text ‘in Section 21¹ (1)’;

24) Section 17²(2) 1) is amended and worded as follows:

‘1) a plan for the integration of different areas across the country into the collection system for packaging and packaging waste not collected pursuant to Section 15 (3) and (11) of this Act;’;

25) Section 17² (2) 6) is amended and worded as follows:

‘6) A communication strategy containing key messages about the activities specified in Section 17⁴ (1) 11) of this Act, an overview of the collection and recovery system and the target groups, the means and methods to reach them, and the timetable.’;

26) Section 17² (3) is amended and worded as follows:

‘(3) A member, shareholder or stockholder of a recovery organisation may not hold over 25 percent of the packaging organisation’s membership, shares or stocks, or votes assigned proportionally to these.’;

27) subsection (4) is added to Section 17² to read as follows:

‘(4) A member, partner or shareholder of a recovery organisation shall not be a person whose main activity is waste management within the meaning of the Waste Act or who belongs to the same group as such a person.’;

28) in Section 17³, the words ‘to the Ministry of Climate’ are replaced by the words ‘to the Environmental Board’;

29) Section 17⁴ (1) 1) and 2) are amended to read as follows:

‘1) nationwide collection of packaging and packaging waste, with the exception of collection pursuant to Section 15(3) and (11) of this Act;

2) the reuse of collected reusable packaging and the recovery of packaging waste, ensuring the recycling of recyclable packaging;’;

30) in Section 17⁴ (1) 5) the words ‘by requesting at least three tenders on an equal footing, unless there is no plurality of bidders on the market,’ are added after the word ‘on the basis of’;

31) in Section 17⁴ (1) 11), the words ‘referred to in clause 1 of this subsection’ shall be added after the word ‘notification’;

32) Section 17⁴(1) 12) is repealed;

33) clauses 13) to 19) are added to Section 17⁴ (1), worded as follows:

‘13) making the annual report available on its website by 31 July of each year;

14) publication on its website, by 31 July of each year, of information on packaging waste collected, recovered and recycled, broken down by type of packaging in the previous calendar year;

- 15) publication of information on the return of packaging with a deposit and on outreach activities and their costs on its website;
- 16) publication on its website, no later than 1 November each year, of a communication plan, including the planning of the activities referred to in clause 11) of this subsection, to be established in the following calendar year;
- 17) advising packaging companies and raising awareness of compliance with the requirements set out in this Act;
- 18) publication of the terms and conditions for the purchase of services related to the management of packaging and packaging waste on its website;
- 19) a strategy for involving other packaging companies in the work of the recovery organisation and publishing an overview of new packaging companies involved in the previous calendar year on its website by 31 July each year.’;

34) Sections 17⁴(2) and (3) are repealed;

35) the text of Section 17⁵ is amended and worded as follows:

‘The Environmental Board shall grant the authorisation within 63 days of receipt of a due application. If the Environmental Board does not process the application within that period or the extended period, the authorisation shall not be deemed to have been granted to the company by default on expiry of that period.’;

36) Section 20 is repealed;

37) in Section 21 (4), the words ‘soft drinks within the meaning of the Soft Drinks Packaging Tax Act’ shall be replaced with the words ‘soft drinks as beverages with a Combined Nomenclature code of 2009, 2201 or 2202 established by Council Regulation (EEC) No 2658/87.’;

38) Section 21¹ is added to the Act to read as follows:

‘§ 21¹. Take-backs of packaging with deposit

(1) A packaging company that sells packaged goods to the end user or consumer is obliged to accept the return of sales packaging and sales packaging waste of the sold goods free of charge. The take-back requirement applies only to packaging the type, shape and size of which corresponds to the type, shape and size of the packaging of the goods sold at that point of sale and the packaging of the goods delivered by the seller of those goods.

(2) A person selling packaged goods does not have to take back packaging and packaging waste if the sales point is less than 20 square metres in size and is located in a densely populated area.

(3) The seller of packaged goods with a point of sale of 200 square metres or more shall arrange for taking back of packaging for which a deposit has been established at the point of sale or its service plot during the business hours of the point of sale.

(4) A seller of packaged goods whose point of sale is smaller than 200 square metres may organise the taking back of such packaging for which a deposit has been established outside the boundaries of the service area of their point of sale, but during the business hours of the point of sale and only upon the consent of the local government. It must be taken into account that in an area with a population density of less than 500 inhabitants per square kilometre, there should be at least one packaging take-back point in a settlement located within the territory of the local government.

(5) The obligation established in subsections 3 and 4 of this Section shall be deemed to have been fulfilled by the seller of packaged goods if two or more points of sale are in close proximity to each other and the sellers of packaged goods have agreed to organise the take-back of packaging with a deposit jointly at the point of sale or service area of one seller of packaged goods or elsewhere in close proximity to the point of sale.

(6) The sellers of packaged goods acting jointly, referred to in subsection 5 of this Section, shall be jointly and severally liable for the operation of the take-back point of packaging with a deposit.’;

39) in Section 23 (2) and (2¹), the text ‘in Section 20 of this Act’ is replaced by the text ‘in Sections 15 and 17¹ of this Act’;

40) subsections 25 (1) and (2) are amended and worded as follows:

‘(1) The packaging register is a database the purpose of which is to keep records of the packaging of goods placed on the market, packaging waste generated in Estonia, reuse of packaging, recovery of packaging waste, achievement of recovery targets and records of single-use plastic packaging for the performance of tasks under the Packaging Act and the Packaging Excise Duty Act, for the purpose of monitoring and reporting information on packaging waste and single-use plastic packaging to the European Commission.

(2) The Packaging Register shall be established and its statutes shall be laid down by a regulation of the Government of the Republic, which shall stipulate:

- 1) the authorised processor;
- 2) the responsibilities of the controller and the processor;
- 3) data providers, more detailed composition of the collected data and the procedure for entering them into the database;
- 4) procedures for accessing and releasing data;
- 5) more precise arrangements for the storage of data and the retention periods for logs;
- 6) other organisational issues.’;

41) subsections (7) and (8) are added to Section 25 in the following wording:

‘(7) the following personal data shall be processed in the packaging register:

- 1) personal identification data: personal identification number, surname and first name;
- 2) contact details, including e-mail address, telephone number and address.

(8) The data in the packaging register shall be retained for seven years. The logs shall be retained in accordance with the provisions of the Statute of the Registry.’;

42) Section 39⁹ is added to the Act to read as follows:

‘§ 39⁹. Implementation of organised waste transport requirements for the collection of packaging waste without deposit generated in households

The local government must bring the separate collection of packaging waste without deposit generated in households into compliance with the provisions of Section 15 (3–10) and (12) of this Act from the date of the new public procurement contract for waste transport, but no later than 31 December 2030.

Section 7 Amendment of the Medicinal Products Act

The following amendments shall be made to the Medicinal Products Act:

1) in subsection 36 (2), the words “the hazardous waste consignment note provided for in Section 64 of the Waste Act” shall be replaced by the words “the waste transport consignment note provided for in Section 117¹ of the Waste Act”;

2) in Section 36 (3), the words “Hazardous waste consignment note” shall be replaced by the words “Waste transport consignment note”.

Section 8 Amendment of the Industrial Emissions Act

The following amendments shall be made to the Industrial Emissions Act:

1) in Section 95 (3) 2), the text ‘in the case of delivery of hazardous waste, the “consignment note for hazardous waste” is replaced by the text ‘in the case of delivery of waste, the “consignment note for the transport of waste”;

2) in Section 95 (9) 2), the text “hazardous waste consignment note” is replaced by “waste transport consignment note”.

Section 9 Entry into force of the Act

(1) Section 4 of this Act shall enter into force on 1 July 2026.

(2) Sections 1 48) to (~~–60~~) and Sections 7–8 of this Act shall enter into force on 1 January 2027.

(3) Sections 6 ~~5)~~ and ~~27)~~ of this Act shall enter into force on 1 January 2028.

(4) Section 1 4) of this Act shall enter into force on 1 January 2031.’

Lauri Hussar
President of the Riigikogu

Tallinn, 2025

Submitted by the Environment Commission on ... 11.2025.

(digitally signed)
Yoko Alender
Chair of the Environment Committee