

Dated 30 June 2009,

amending and supplementing Act No 223/2001 Coll. on waste and on the amendment and supplementation of several acts, as amended

The National Council of the Slovak Republic has resolved the following on said act:

Article I

Act No 223/2001 Coll. on waste and on the amendment and supplementation of several acts, as amended by Act No 553/2001 Coll., Act No 96/2002 Coll., Act No 261/2002 Coll., Act No 393/2002 Coll., Article No 529/2002 Coll., Act No 188/2003 Coll., Act No 245/2003 Coll., Act No 525/2003 Coll., Act No 24/2004 Coll., Act No 443/2004 Coll., Act No 587/2004 Coll., Act No 733/2004 Coll., Act No 479/2005 Coll., Act No 532/2005 Coll., Act No 571/2005 Coll., Act No 127/2006 Coll., Act No 514/2008 Coll., Act No 515/2008 Coll., Act No 519/2008 Coll. and Act No 160/2009 Coll. shall be amended as follows:

1. Section 1(3)(f) shall read:

“f) disposal of electrical and electronic devices (hereinafter “electronic devices”) which are associated with the protection of important interests regarding the security of the Slovak Republic, weapons, munitions and military material, with the exception of electronic devices which are not intended exclusively for military purposes and on the disposal of waste from said electronic devices,”.

2. Section 1(3) shall be supplemented by Letter g), which reads:

“g) disposal of batteries and rechargeable batteries used in devices which are associated with the protection of important interests concerning the security of the Slovak Republic, disposal of weapons, munitions and military material with the exception of products which are not exclusively intended for military purposes and disposal of devices intended to be sent into space and on the disposal of waste from said batteries and rechargeable batteries.”.

3. In Section 2(15), the words “electronic devices pursuant to Section 54a(14)” shall be replaced by the words “electronic waste pursuant to Section 54a(17)” and the following words shall be added on at the end: “and the collection point pursuant to Section 48a(17)”.

4. The superscript of Section 3 shall read: “The purpose and goals of waste management”.

5. The previous text of Section 3 shall be labelled as Paragraph 1 and shall be supplemented by Paragraphs 2 and 3, which shall read:

“(2) The goal of waste management in the field of electronic waste disposal is to ensure that the quantity of electronic household waste turned in to the take-back system (Section

54a(17)) and separate collection reaches an average of at least four kilograms per resident per year.

(3) The goal of waste management in the field of disposal of used portable batteries and rechargeable batteries is to achieve a collection proportion (Section 48a(19)) of at least 25% by 26 September 2012 and 45% by 26 September 2016.”.

6. In Section 6(1), the words “500 kg” shall be replaced by “one tonne”.
7. Section 7(1)(b) shall read:

“b) destruction of waste for which consent pursuant to Letter a) has not been granted and waste utilisation for which consent pursuant to Letter c) has not been granted, with the exception of the destruction or utilisation of waste in waste incinerators and facilities for collective waste incineration and waste utilisation in hydraulic works in which special types of liquid waste are utilised,^{14b)} or reduction of the volume of communal waste in facilities having an actual annual capacity not exceeding 50 tonnes,”.
8. In Section 7(1)(f), the word “and” shall be replaced by a comma and the following words shall be added at the end: “and issuing operating instructions for mobile devices for waste utilisation or destruction,”.
9. Section 7(4) shall be supplemented by Letter e), which reads:

“e) the duty to submit a report on the types and quantities of waste deposited and on the landfill monitoring results to the competent district environmental office each year by 31 January of the following calendar year.”.
10. Paragraph 11(7) shall read:

“(11) Consent to the operation of a landfill is issued by the competent state waste management administration body once an on-site inspection has been conducted to verify the actual status of matters in the scope of the submitted application for landfill operation.”.
11. Section 8(3)(a) shall read:

“a) processing and recycling of used batteries and rechargeable batteries (Sections 48a through 48f),”.
12. Section 8 shall be supplemented by Paragraph 5, which reads:

“(5) The Ministry shall only issue the authorisation pursuant to Paragraph 3(a) concurrently for conducting the activities of processing and recycling.”.
13. Section 9(5) shall read:

“(5) During authorisation pursuant to Section 8(3)(b), in the scope of which waste oils are reclaimed (Section 42(2)) or utilised by using them as fuel pursuant to Item R1 in Annex No 2, providing measures for the protection of the environment and human health is also part of the technical, material and personnel provision; as far as equipment permitted and operated pursuant to a special regulation^{18a)}, the technology used must conform to the level of the best available technology.”.
14. Section 10(2) shall be supplemented by Letters e) and f), which read:

“e) the final opinion or decision from the verification work from the process of assessing the effects on the environment pursuant to a special regulation,^{14c)}

f) consent granted pursuant to Section 7 or integrated permission granted pursuant to a special regulation.^{19a)”,}

The annotation below the line to reference 19a shall read:

“^{19a)} Section 8 of Act No 245/2003 Coll., as amended.”.

15. Section 10(4) shall be supplemented by Letters e) and f), which shall read:

“e) the final opinion or ruling from the verification work from the process of assessing the effects on the environment,

f) consent granted pursuant to Section 7 or integrated permission granted pursuant to a special regulation.^{19a)”,}

16. In the superscript of Section 11 and in the entire text of Sections 9 through 11, Sections 13 and 14, the words “professionally qualified person” shall be replaced in all forms by the words “person professionally qualified in the authorised activity” in the applicable form.

17. Section 11(2)(b) shall read:

“b) has a university education in a technical field or natural science and at least three years of experience in the field of hazardous waste disposal or has a university education in a field other than a technical field or natural science or a secondary school education in a technical field ending in graduation and at least five years of experience in the field of hazardous waste disposal or has a secondary school education in a field other than a technical field ending in graduation and at least eight years of experience in the field of hazardous waste disposal; years during the course of study do not count as experience, only experience since completion of studies does,”.

18. In Section 11(2), a new Letter c) shall be entered after Letter b). The new Letter c) shall read:

“c) has completed professional preparation provided by an organisation authorised by the Ministry,”.

The previous Letter c) shall be marked as Letter d).

19. The following words shall be added at the end of Section 11(3): “at least once per calendar year”.

20. Section 11(4) shall read:

“(4) Upon successful completion of the test, the Ministry shall confirm the professional qualification for the authorised activity by issuing a certification for the professional qualification for the authorised activity (hereinafter “certification for the professional qualification”). The certification for the authorised activity may be issued for a period of not longer than ten years. The period of validity of the certification for the authorised activity shall not be extended”.

21. Section 11 shall be supplemented by the addition of Paragraphs 6 and 7, which shall read:

“(6) Persons professionally qualified in the authorised activity shall participate on the basis of a request from the Ministry for retraining or reauthentication of the professional

qualification if fundamental changes occur in waste management technology or in the generally binding legal regulations in the field of waste management.

(7) The Ministry shall delete the person professionally qualified in the authorised activity if he does not take part in retraining or reauthentication of the professional qualification on the basis of the Ministry's request pursuant to Paragraph 6."

22. Section 11a shall be added after Section 11. Section 11a, including superscript, shall read:

Section 11a

Change, cancellation and expiration of the certification for the authorised activity

- (1) The Ministry shall change the certification for the authorised activity if the person professionally qualified in the authorised activity requests in written form for the personal information specified in the certification for authorised activity to be changed, and if said information is not in accordance with the actual status.
- (2) The Ministry of certification shall cancel the authorised activity if the person professionally qualified in the authorised activity:
 - a) has had his or her capacity for legal acts suspended or if his or her capacity for legal acts has been restricted,
 - b) has ceased to be irreproachable on an account of a legal ruling,
 - c) has acquired the certification for the authorised activity by means of providing false information in the application or appendices thereof,
 - d) requests it to be cancelled in written form.
- (3) The change or cancellation of the certification for the authorised activity shall enter into effect on the day of being entered into the registry of persons professionally qualified in the authorised activity.
- (4) The professional qualification for the authorised activity shall expire upon the death of the person professionally qualified in the authorised activity or once the period of validity of the certification for the authorised activity elapses. A person professionally qualified in the authorised activity whose professional qualification has expired shall be deleted from the registry of persons professionally qualified in the authorised activity".

23. Section 13(10) shall be supplemented by Letter d), which reads:

"d) if technological changes in the method of waste disposal take place and an expert assessment demonstrating that the authorised activity is technologically secured is attached to the application".

24. The annotation below the line to reference 25 shall read:

²⁵⁾ Article 114 of Council Regulation (EEC) No 2913/92 establishing Customs code of the European Community (Special edition of the EU Official Journal, chapter 2/vol. 4 as amended; EC Official Journal L 302, 19 October 1992)".

25. In Section 15(1), the words "including the distributor who performs the take-back (Section 54a(17))" shall be added after the words "the subject of business".

26. Section 18(3)(d) shall read:

“d) conduct waste transport contrary to Part Four of the Act,”.

27. Section 18(3) shall be supplemented by Letters p) through t), which shall read:

“p) destroy or utilise for energy used batteries and rechargeable batteries with the exception of unsalvageable battery and rechargeable battery remnants which have gone through the process of treatment and recycling, activities pursuant to Items D1 and D10,

r) disrupt the integrity of batteries and rechargeable batteries including used batteries and rechargeable batteries with the exception of equipment for which authorisation pursuant to Section 8(3)(a) has been granted,

s) arrange or otherwise participate in cross-border waste transport from another Member State to the Slovak Republic, cross-border waste transport from the Slovak Republic to another Member State, the importation of waste from a non-member state to the Slovak Republic, the exportation of waste from the Slovak Republic to a non-member state or the transit of waste contrary to the provisions of Part Four of the Act,

t) transport waste or haul waste in transit on the territory of the Slovak Republic or from the territory of the Slovak Republic contrary to the provisions of Part Four of the Act.”.

28. In Section 18(7), the words “requested by the Police Corps” shall be replaced by the words “begins activity”.

29. Section 19(1)(j) shall read:

“j) at the previous waste holder’s request, submit documents with complete and truthful information demonstrating the method of waste disposal by no later than 30 days as of the day of receiving the written request,”.

30. In Section 19(9), the full stop at the end shall be replaced by a semicolon and the following words shall be added: “this procedure does not apply to waste from construction and demolition work pursuant to Section 40c”.

31. Section 21(2) shall be supplemented by the addition of Letter f), which shall read:

“f) notify the competent district environmental office of negative situations and effects on the environment detected by monitoring during landfill operation and after its closure”.

32. Section 22(1) and (2) shall read:

“(1) During landfill operation, the landfill operator is obligated to create a special-purpose financial reserve, the funds of which shall be used for the shutdown, recultivation and monitoring of the landfill after its closure and for work related to accident prevention or limiting the consequences of accidents. Persons operating more than one landfill shall create an individual special-purpose financial reserve for each landfill.

(2) The special-purpose financial reserve shall be formed annually on the basis of expenditures (costs)³⁶⁾ at the sum of an established proportion of the total costs of the shutdown, recultivation and monitoring of the landfill after its closure”.

33. Section 22(3) shall read:

“(3) The annual sum of the special-purpose financial reserve shall be calculated as follows:

$$R = Q \times A \times \text{CPI}$$

$$A = \text{CN} : K,$$

in which R is the levy on the establishment of the special-purpose financial reserve in euros per year,

Q is the quantity of waste deposited per calendar year in m³,

A is the sum of the levy on the unitary quantity of waste in euros calculated as a lump sum upon establishment of the special-purpose financial reserve pursuant to this Act,

CPI (Consumer Price Index) is an interim measure of inflation published by the Statistical Office of the Slovak Republic for the calendar year in which the waste was deposited in the landfill,

CN is the investment costs (projected by project documentation) for the shutdown, reclamation and operating costs of monitoring the landfill in euros,

K is the free capacity of the landfill upon establishment of the special-purpose financial reserve pursuant to this Act at the time of calculation in m³”.

34. Section 22(5) shall read:

“(5) The funds which make up the special-purpose financial reserve shall be kept on a special account or special accounts³⁷⁾ belonging to the landfill operator. Before transferring the first payment for the special-purpose financial reserve, the landfill operator is obligated to ensure that the special account or accounts to which the funds for the special-purpose financial reserve shall be transferred each year in the sense of Paragraph 6 is/are established; at the same time the operator is obligated to ensure that the funds of the special-purpose financial reserve are earmarked for the purpose specified in Paragraph 1”.

35. Section 22(6) shall read:

“(6) The landfill operator shall transfer a minimum of 50% of the annual amount of special-purpose financial reserve funds by 31 January of the following calendar year. The special-purpose financial reserve must reach the sum of the total costs for the shutdown, reclamation and monitoring of the landfill upon closure as of the date of submission of the application for permission to close the landfill or part thereof, reclaim it and subsequently monitor it [Section 7(1)(k)].”.

36. Section 22 shall be supplemented by Paragraph 16, which shall read:

“(16) When changing the landfill operator, the previous landfill operator is obligated to transfer the landfill’s special-purpose financial reserve funds in full to the special-

purpose financial reserve account of the new landfill operator within 45 days of the date upon which the change of landfill operator took place”.

37. Part Four of the Act, including superscript, shall read:

PART FOUR
CROSS-BORDER WASTE TRANSPORT, WASTE IMPORTATION, WASTE
EXPORTATION AND WASTE TRANSIT

Section 23
Basic provisions

(1) Cross-border waste transport from another Member State to the Slovak Republic, cross-border waste transport from the Slovak Republic to another Member State, the importation of waste from a non-member state to the Slovak Republic, the exportation of waste from the Slovak Republic to a non-member state and the transit of waste (hereinafter “cross-border waste movement”) are governed by special regulations.⁴⁵⁾

(2) The Ministry is the competent body⁴⁶⁾ for cross-border waste movement on the territory of the Slovak Republic. The Ministry simultaneously fulfils the function of correspondent.⁴⁷⁾

(3) Cross-border transport of waste from another Member State to the Slovak Republic and importation of waste from a non-member state to the Slovak Republic for the purpose of destroying it is prohibited, unless otherwise determined by an international treaty to which the Slovak Republic is party.

(4) Hazardous waste originating from the Slovak Republic shall have priority for utilisation in the Slovak Republic in accordance with the Slovak Republic’s programme (Section 4(1)). If it is not possible to utilise said waste in the Slovak Republic, it shall have priority for utilisation in another of the Member States.

(5) If the Ministry raises objections,⁴⁸⁾ it shall start from the objectives of the Slovak Republic’s programme.

Section 24
Notification

(1) The notifier^{48a)} shall give notification of a cross-border waste movement in accordance with special regulations.^{48b)}

(2) The notification of a cross-border waste movement, including supplementary information and supplementary documentation^{48c)}, shall be submitted to the Ministry in the Slovak language or with an officially verified translation into Slovak. The document on the notification of cross-border waste movement/transport and the document on movement for cross-border waste movements/transports pursuant to the special regulation^{48d)} may be submitted in a language other than Slovak for the purpose of notifying of cross-border transport of waste from another Member State to

the Slovak Republic, importation of waste from a non-member state to the Slovak Republic and the transit of waste.

Section 25

Financial assurance

(1) The notifier is obligated to provide financial assurance for cross-border waste transport from the Slovak Republic to another Member State and exportation of waste from the Slovak Republic to a non-member state in the form of financial security (hereinafter “collateral”) or an insurance policy of equivalent value pursuant to the special regulation.^{48e)}

(2) The amount of the collateral shall be determined by the Ministry upon examining the demonstrable costs of transportation, utilisation or destruction including all preliminary activities necessary and the costs of storage up to 90 days and shall be set at one and a half times said costs. The notifier shall deposit the collateral determined by the Ministry at a bank or at a branch of a foreign bank^{37a)} by means of tying up funds for an indefinite period of time to the benefit of the Ministry by no later than three days before the transport is carried out. The notifier shall submit the original document verifying that the collateral has been deposited to the Ministry before carrying out the transport.

(3) An insurance policy of equivalent value is deemed to be an insurance policy with which the sum of the insurance settlement covers the demonstrable costs of transportation, utilisation or destruction including all preliminary activities necessary and the costs of storage for up to 90 days at a sum of one and a half times said costs; the notifier must take out said insurance policy by no later than three days before the transport is carried out. The notifier shall submit the original document verifying that the insurance policy has been taken out to the Ministry before carrying out the transport.

(4) The collateral pursuant to Paragraph 2 shall be returned to the notifier upon presentation of a request and confirmation that the waste has been destroyed or utilised in the form of a certified document on movement for cross-border waste movements/transports or confirmation is attached to it.

(5) Aside from the instances specified in the special regulation^{48e)}, the collateral pursuant to Paragraph 2 shall also be returned to the notifier if the notifier demonstrates that the cross-border transport of waste from the Slovak Republic to another Member State, the exportation of waste from the Slovak Republic to a non-member state did not take place or will not take place.

Section 26

Return of the notification

If the notifier does not complete its notification on cross-border waste movement within 60 days as of the date of receiving the request to complete the notification, the Ministry may return the notification to the notifier”.

The annotations below the line to references 45 through 48e shall read:

⁴⁵⁾ European Parliament and Council (EC) Regulation No 1013/2006 from 14 June 2006 on waste transport (EU Official Journal L 190, 12 July 2006), as amended.

Commission (EC) Regulation No 1418/2007 from 29 November 2007 on the exportation for utilisation of the particular waste specified in Annex III or IIIA to European Parliament and Council (EC) Regulation No 1013/2006 to particular countries to which the OECD's resolution on controlling the movement of waste across national borders (EU Official Journal L 316, 4 December 2007) does not apply.

⁴⁶⁾ Article 53 of European Parliament and Council (EC) Regulation No 1013/2006, as amended.

⁴⁷⁾ Article 54 of European Parliament and Council (EC) Regulation No 1013/2006, as amended.

⁴⁸⁾ Article 11 and Article 12 of European Parliament and Council (EC) Regulation No 1013/2006, as amended.

^{48a)} Article 2 Item 15 of European Parliament and Council (EC) Regulation No 1013/2006, as amended.

^{48b)} Article 4 of European Parliament and Council (EC) Regulation No 1013/2006, as amended.

^{48c)} Annex II to European Parliament and Council (EC) Regulation No 1013/2006, as amended.

^{48d)} Annex IA and IB to European Parliament and Council (EC) Regulation No 1013/2006, as amended.

^{48e)} Article 6 of European Parliament and Council (EC) Regulation No 1013/2006, as amended.'.

38. In Section 39(14), the words "and biodegradable waste" shall be deleted.

39. Paragraph 15 of Section 39 shall read:

"(15) The municipality is obligated to separate biodegradable waste in accordance with the biodegradable waste disposal strategy approved by the government of the Slovak Republic".

40. Section 39 shall be supplemented by Paragraph 16, which shall read:

"(16) The municipality is obligated allow a manufacturer of electronic devices or the collective organisation (Section 54ga(2)), at its own costs, to:
establish and operate a separate collection system for household electronic waste on its territory,
b) use existing equipment for collecting communal waste to the extent needed for this purpose".

41. Section 40c shall be supplemented by Paragraph 5, which shall read:

"(5) The originator of waste arising as the consequence of the performance of construction and demolition work as well as building, maintenance, reconstruction and road demolition is the entity performing said work."

42. Section 41 including the annotations below the line to references 51 and 52 shall be deleted.

43. In Section 42(8), the words “an importer of any mineral lubricant oils for combustion motors, transmission oils, oils for turbines and hydraulic oils” shall be replaced by the words, “anyone transporting mineral lubricant oils for combustion motors, transmission oils, oils for turbines or hydraulic oils across the national border to the territory of the Slovak Republic,” (hereinafter referred to as the “importer”).
44. Paragraph 10(42) shall read:
“(10) The manufacturer and importer shall pay a contribution to the Recycling Fund each quarter calendar year. The sum of the contribution shall be determined based on the actual volume of production or importation in the quarter being paid for pursuant to Section 56. The contribution shall be due by the thirtieth day of the following quarter”.
45. In Section 42(11), Section 43(4), Section 44(5), Section 44a(4), Section 46(5), Section 48(7), Section 54(4) and Section 54i(4), the words “within 30 days since the change took place” shall be inserted after the word “registration”.
46. In Section 43(3), Section 44(4), Section 44a(3), Section 46(4), Section 48(6) and Section 54(3), the first clause shall read “The manufacturer and importer shall pay the contribution pursuant to Section 42(10)” and the second clause shall be deleted.
47. In Section 43(1), the comma after the word “vehicles” shall be deleted and the words “and importer of used tyres for motor vehicles and non-motorised vehicle intended for retreading” shall be added.
48. The final clause shall be deleted in Section 44(1), Section 44a(1) and Section 48(1) and (2).
49. In the second clause of Section 46 n 1, the words “and packaging for which the manufacturer or importer ensures waste collection of the waste from the packaging and the utilisation or recycling thereof.^{53a)}” shall be deleted.
50. In the second clause of Section 46(2), the words “and for packaging for which the manufacturer or importer ensures waste collection of the waste from the packaging and the utilisation or recycling thereof.^{53a)}” shall be deleted.
51. A new Part Six shall be added after Part Five. The new Part Six, including superscript, shall read:

**PART SIX
BATTERIES AND RECHARGEABLE BATTERIES**

**Section 48a
Basic provisions**

- (1) Unless otherwise specified in this part of the Act, the general provisions of this Act apply to batteries and rechargeable batteries placed on the market, regardless of their shape, volume, weight, material components or use, to the processing of used batteries

- and rechargeable batteries, to the disposal of used batteries and rechargeable batteries and to the disposal of waste from processing used batteries and rechargeable batteries.
- (2) A battery or rechargeable battery is a source of electrical energy generated by the direct transformation of chemical energy, consisting of one or more primary non-rechargeable cells or of one or more secondary rechargeable cells.
 - (3) A battery pack is a set of batteries or rechargeable batteries interconnected or connected and enclosed in an exterior housing so as to form a single unit, which should not be separated or opened.
 - (4) A used battery or rechargeable battery is a battery or rechargeable battery which is waste pursuant to Section 2(1).
 - (5) A portable battery or rechargeable battery is a battery, button cell, battery pack or rechargeable battery pack which is hermetically sealed, may be carried manually and is not an industrial battery or rechargeable battery nor an automobile battery, nor rechargeable battery.
 - (6) A button cell is a small circular portable battery or rechargeable battery with a diameter greater than its height which is used for special purposes, such as in hearing aids, watches, small portable devices and backup sources.
 - (7) An automobile battery or rechargeable battery is a battery or rechargeable battery which is used for starting and illuminating motor vehicles.⁵⁴⁾
 - (8) An industrial battery or rechargeable battery is a battery or rechargeable battery which is exclusively intended for industrial or professional use, or is used in means of transportation propelled by electrical energy.
 - (9) Processing used batteries and rechargeable batteries is part of material utilisation of used batteries and rechargeable batteries and it is an activity conducted on used batteries and rechargeable batteries prior to the actual recycling process, depending on what was fed into the machine, for which the authorisation pursuant to Section 8(3)(a) has been issued.
 - (10) A utiliser of used batteries and rechargeable batteries is a natural person, entrepreneur or legal entity whom the authorisation pursuant to Section 8(3)(a) has been granted.
 - (11) A manufacturer of batteries and rechargeable batteries is a person who, in the scope of his entrepreneurial activity, places batteries and rechargeable batteries manufactured in the Slovak Republic or imported to the territory of the Slovak Republic onto the market, including batteries and rechargeable batteries integrated into devices or motor vehicles, regardless of the sales technique used, including sale on the basis of contracts which have been concluded remotely.^{54a)}
 - (12) A distributor of batteries and rechargeable batteries is a person who provides users with batteries and rechargeable batteries in the scope of his entrepreneurial activities.
 - (13) For the purposes of this Act, the placement of a battery or rechargeable battery on the market is the moment when the battery or rechargeable battery first passes from the manufacturing or importation phase to the distribution phase or usage phase, be it in exchange for payment or free of charge, on the territory of the Slovak Republic.
 - (14) Recycling of used batteries and rechargeable batteries is the repeated processing of waste material in the production process for their original purpose or for other purposes, other than energy reclamation.
 - (15) A device is a piece of electronic equipment (Section 54a(2)) which is powered either entirely or partially by batteries or rechargeable batteries or may be powered this way.
 - (16) A cordless electrical tool is a manual device powered by batteries or rechargeable batteries and intended for maintenance, construction or gardening work.
 - (17) The collection point is a location where a user may deposit used portable batteries and rechargeable batteries free of charge; the operator of said collection point collects the

used portable batteries and rechargeable batteries on the basis of a contract with the utiliser of the used portable batteries and rechargeable batteries, whom authorisation pursuant to Section 8(3)(a) has been granted.

- (18) An economic operator is a battery and rechargeable battery manufacturer, battery and rechargeable battery distributor, collection point operator or entrepreneur who is authorised to collect used batteries and rechargeable batteries and a utiliser of used batteries and rechargeable batteries who has received authorisation pursuant to Section 3(8)(a).
- (19) A collection share is a percentage share for the given calendar year calculated in such a manner that the total mass of the used portable batteries and rechargeable batteries collected in the given calendar year is divided by the average mass of the used portable batteries and rechargeable batteries which the battery and rechargeable battery manufacturer has directly transferred to users or delivered to distributors of batteries and rechargeable batteries during the given calendar year and during the two previous calendar years.

Section 48b

Prohibition of market placement

It is prohibited to place the following on the market:

- a) batteries or rechargeable batteries including those which are components of devices which contain more than 0.0005 percent mass of mercury; this prohibition does not apply to button cells with a mercury content not exceeding two percent mass,
- b) portable batteries or rechargeable batteries including those which are components of devices which contain more than 0.0002 percent mass of cadmium; this prohibition does not apply to portable batteries or rechargeable batteries intended for use in emergency and alarm systems including emergency lighting, medical devices or in cordless electrical tools,
- c) batteries or rechargeable batteries which do not meet the requirements of this Act.

Section 48c

Obligations of economic operators and device manufacturers

(1) When placing batteries and rechargeable batteries on the market, manufacturers of batteries and rechargeable batteries are obligated to provide chemicals and material ingredients in the batteries and rechargeable batteries to battery and rechargeable battery utilisers for the purposes of determining a technological and technical procedure of processing and recycling them.

(2) Device manufacturers are obligated to:

- a) ensure that a device which is placed on the market is designed and manufactured in such a manner that the used batteries and rechargeable batteries can be easily removed,

b) enclose instructions with the device on how to safely remove batteries and rechargeable batteries from the device.

(3) The obligations pursuant to Paragraph 2 do not apply to manufacturers of devices with which a steady supply of electrical energy is necessary and which require a constant connection between the battery, or rechargeable battery, for reasons of safety, output, for medical reasons or for data integrity reasons.

(4) Distributors of batteries and rechargeable batteries are obligated:

a) to ensure that used portable batteries and rechargeable batteries will be taken back at his sales locations at any time during work hours, regardless of their make and date of introduction to the market; in doing so, the act of taking back used portable batteries and rechargeable batteries may not be tied to the purchase of a new portable battery or rechargeable battery or other goods, nor may payment for the take-back be demanded,

b) to inform users that used portable batteries and rechargeable batteries may be deposited at its sales locations,

c) to ensure that used batteries and rechargeable batteries which have been taken back are transferred to a used battery and rechargeable battery utiliser who has been granted authorisation pursuant to Section 8(3)(a),

d) not to introduce separate costs for the collection and recycling of used batteries and rechargeable batteries and the processing of used batteries and rechargeable batteries when selling portable batteries and rechargeable batteries.

(5) A collection point operator is obligated to ensure compliance with the obligations pursuant to Paragraph 4(c), in which the act of taking back used portable batteries and rechargeable batteries may not be tied to the purchase of a new portable battery or rechargeable battery or other goods, nor may payment for the take-back be demanded,

(6) Utilisers of used batteries and rechargeable batteries and operators of equipment for the collection of used industrial or automobile batteries and rechargeable batteries are obligated to take back used industrial or automobile batteries and rechargeable batteries regardless of their chemical components and origin; in the case of used automobile batteries and rechargeable batteries originating from motor vehicles⁵⁴⁾ not used for commercial purposes which are in the possession of a natural person, the fulfilment of this obligation may not be tied to the purchase of a new battery or rechargeable battery or other goods, nor may payment for the take-back be demanded.

(7) Utilisers of used batteries and rechargeable batteries are obligated to ensure compliance with the requirements on the processing and recycling of used batteries and rechargeable batteries [Section 68(3)(y)].

(8) Entrepreneurs who are authorised to collect used batteries and rechargeable batteries, including operators of equipment for the collection of used industrial or automobile batteries and rechargeable batteries who have been granted authorisation for collection pursuant to Section 8(3)(a) are obligated to ensure that the obligations pursuant to Paragraph 4(c) are fulfilled.

Section 48d

Collection of used batteries and rechargeable batteries

(1) Holders of used batteries and rechargeable batteries are obligated to:

- a) transfer used portable batteries and rechargeable batteries to a battery and rechargeable battery distributor, deposit said batteries at an accessible collection point, transfer said batteries to an entrepreneur who is authorised to collect used batteries and rechargeable batteries or to a utiliser of used batteries and rechargeable batteries who has received authorisation to process and recycle used batteries and rechargeable batteries pursuant to Section 8(3)(a).
 - b) transfer used automobile and industrial batteries and rechargeable batteries to an operator of equipment for the collection of used industrial or automobile batteries and rechargeable batteries who has been granted authorisation for collection pursuant to Section 8(3)(a) or to a utiliser of used batteries and rechargeable batteries who has been granted authorisation to process and recycle used batteries and rechargeable batteries pursuant to Section 8(3)(a).
- (2) Electronic waste processors (Section 54a(10)) are obligated to give priority to removing used batteries and rechargeable batteries from waste made up of electrical and electronic devices if said batteries are collected together with said waste and ensure that they are transferred to a utiliser of used batteries and rechargeable batteries who has been granted authorisation to process and recycle used batteries and rechargeable batteries pursuant to Section 8(3)(a) within six months of receiving the waste.
- (3) It is prohibited to mix used batteries and rechargeable batteries with other types of waste.
- (4) Used batteries and rechargeable batteries may only be collected separately from other types of waste.

Section 48e

Marking

Manufacturers of batteries and rechargeable batteries are obligated to:

- a) mark batteries and rechargeable batteries with the symbol specified in Annex No 7, which denotes separate collection for batteries and rechargeable batteries,
- b) specify battery capacity data on automobile and portable batteries and rechargeable batteries in a visible, legible and irremovable manner,
- c) mark batteries, rechargeable batteries and button cells having a mercury content 0.0005% with the chemical symbol “Hg”, batteries, rechargeable batteries and button cells having a cadmium content exceeding 0.002% with the chemical symbol Cd or batteries, rechargeable batteries and button cells having a lead content exceeding 0.004% with the chemical symbol “Pb”; the chemical symbol indicating heavy metal content is specified below the symbol pursuant to Letter a) and must have dimensions of at least three quarters of the size of the symbol pursuant to Letter a),
- d) use the symbol pursuant to Letter a) in such a manner as to cover at least 3% of the largest side of the battery, rechargeable battery or battery pack, whereby the maximum size of the symbol is 5 x 5 cm; for cylindrical cells, the symbol must cover at least

- 1.5% of the surface area of the battery or rechargeable battery, whereby the maximum size of the symbol is 5 x 5 cm,
- e) mark batteries, rechargeable batteries or battery packs which are of such size that the symbol pursuant to Letter a) would be smaller than 0.5 x 0.5 cm in such a manner that a symbol of at least 1 x 1 cm in dimensions is imprinted on their packaging,
 - f) imprint the symbol pursuant to Letter a) in a clear, legible and indelible manner.

Section 48f

Contribution to Recycling Fund for batteries and rechargeable batteries

- (1) Manufacturers of batteries and rechargeable batteries are obligated to pay a contribution to the Recycling Fund for portable, industrial and automobile batteries and rechargeable batteries at the sum determined pursuant to Section 56; this obligation does not apply to devices or motor vehicles for which a contribution is paid to the Recycling Fund (Section 54) into which batteries or rechargeable batteries are integrated.
- (2) The battery and rechargeable battery manufacturer who places the battery or rechargeable battery on the market shall pay the contribution and assume responsibility for the correctness of its calculation.
- (3) Battery and rechargeable battery manufacturers shall pay a contribution to the Recycling Fund each quarter of the calendar year. The sum of the contribution shall be determined based on the actual volume of production or importation in the quarter being paid for pursuant to Section 56. The contribution shall be due by the thirtieth day of the following quarter.
- (4) Battery and rechargeable battery manufacturers are obligated to register with the Recycling Fund by the 30th day as of the date of commencing production or importation of the batteries or rechargeable batteries for which they are obligated to pay a contribution, announce changes to information required for registration at the Recycling Fund to the Recycling Fund within 30 days since the change took place and permit the state supervisory body (Section 73) to inspect their registration, check the correctness of the contribution calculation and check to see that the contribution has been paid.
- (5) Manufacturers of batteries and rechargeable batteries are obligated to:
 - a) keep and save records on the volume of their production, importation, exportation and re-exportation of batteries and rechargeable batteries which they place on the market; said records shall be kept in separate categories for automobile, industrial and portable batteries and rechargeable batteries,
 - b) announce specified information from said records pursuant to Letter a) to the Recycling Fund, the competent district environmental office and the Ministry on a quarterly basis,
 - c) submit an application for registration in the Registry of Battery and Rechargeable Battery Manufacturers to the Ministry before placing batteries or rechargeable batteries on the market; said application shall specify the following:
 - 1. commercial name and registered office, if the manufacturer is a legal entity,
 - 2. commercial name and place of business, if the manufacturer is a natural person or entrepreneur,

3. first name and surname, date of birth and address of permanent residence, if the manufacturer is a natural person,
 4. identification number,
 5. the type of batteries and rechargeable batteries which are intended to be placed on the market,
- d) notify the Ministry of any change to the information specified in the application pursuant to Letter c) within 30 days of the occurrence of the change,
 - e) keep records of the following information, and, on the basis of said records, notify the Ministry of the following information for the previous calendar by 28 February of the following calendar year:
 1. quantity of used portable batteries and rechargeable batteries for which collection was ensured, in kilograms,
 2. quantity of used portable batteries and rechargeable batteries for which processing and recycling was ensured, in kilograms.
- (6) A subject who ensures the collection or processing and recycling of used batteries and rechargeable batteries is obligated to:
- a) keep and save records on the collection of batteries and rechargeable batteries and on the volume thereof which has been processed and recycled; said records shall be kept in separate categories for automobile, industrial and portable batteries and rechargeable batteries,
 - b) announce specified information from said records to the Recycling Fund, the competent district environmental office and the Ministry on a quarterly basis,
- (7) Battery and rechargeable battery manufacturers who are not registered in the Registry of Battery and Rechargeable Battery Manufacturers pursuant to Paragraph 5(c) may not place batteries or rechargeable batteries on the market”.

The annotations below the line to references 54 and 54a shall read:

“⁵⁴) Section 2(1) of Act No 8/2009 Coll. on road traffic and on the amendment and supplementation of several acts.

^{54a}) Section 9(1) of Act No 108/2000 Coll. on consumer protection in door-to-door sales and mail-order sales”.

The former Parts Six through Eleven shall now be designated Parts Seven through Twelve.

52. In Section 49(3), the words “L2^{53a}” shall be replaced by the words “L2e^{54b}”, the annotation below the line to reference 53a) shall be deleted and the words “Section 52(2) and (3)” shall be deleted.

The annotation below the line to reference 54b shall read:

“^{54b}) Annex No 1 to Act No 725/2004 Coll. on the conditions of vehicle operation in transit on land routes and on the amendment and supplementation of several acts”.

53. In Section 49(4), the word “L2” shall be replaced by the word “L2e”.

54. In Section 49, a new Paragraph 6 shall be added after Paragraph 5. The new Paragraph 6 shall read:

“(6) For the purposes of this Act, a complete old vehicle is an old vehicle, the mass of which is at least 90% of the mass of the vehicle when it was placed on the market and which includes an engine, transmission, axle and body”.

The previous Paragraphs 6 through 14 shall be designated as Paragraphs 7 through 15.

55. In Section 49(10), the words “or pursuant to Section 53(3)” shall be inserted after the words “Section 51(5)”.

56. Section 49 shall be supplemented by Paragraph 16, which shall read:

“(16) A separation device is set of equipment which is used to separate crushed material fragments with the objective of achieving maximum utilisation and value from the output products”.

57. In Section 51(1), the words “of complete” shall be inserted after the words “ensure the transfer of”.

58. In Section 51(4) and Section 63(1)(c), the words “Section 53(7)” shall be replaced by the words “Section 53(8)”.

59. In Section 51(5), the word “can” shall be deleted and the word “determine” shall be replaced by the word “determines”.

60. The following words shall be added at the end of Section 52(1)(e): “and notify the Ministry of information from the records in the scope established pursuant to Section 68(3)(j) by the end of March of the following calendar year”.

61. In Section 52(1)(i), the words “within a term of one year as of its receipt for processing” shall be added after the words “processing of the old vehicle”.

62. Paragraphs 2 and 3 in Section 52 shall be deleted.

The previous Paragraph shall be designated Paragraph 2.

63. In Section 53, a new Paragraph 3 shall be added after Paragraph 2. The new Paragraph 3 shall read:

“(3) If an old vehicle does not have a vehicle identification number (VIN) and a vehicle registration number, the district environmental office may determine by decree that said old vehicle is waste”.

The previous Paragraphs 3 through 8 shall be designated as Paragraphs 4 through 9.

64. In Section 53(4), a comma shall be inserted after the word “inspectorate” and the words “because the old vehicle has a vehicle identification number (VIN) and a vehicle registration number which makes it impossible to determine the vehicle’s owner” shall be added and the words “pursuant to Paragraph 4” shall be replaced by the words “pursuant to Paragraph 5”.

65. In Section 53(6), the words “pursuant to Paragraph 4” shall be replaced by the words “pursuant to Paragraph 5”.
66. In Section 53(7), the words “pursuant to Paragraph 5” shall be replaced by the words “pursuant to Paragraph 6”.
67. In Section 54(4), the words “Section 41(15)” shall be replaced by the words “Section 42(11)”.
68. Section 54a, including the superscript, shall read:

Section 54a
Basic provisions

(1) Unless otherwise specified in this part of the Act, the general provisions of this Act apply to the processing of electronic waste, the disposal of electronic waste and the disposal of waste from the processing of electronic waste, as do the special regulations governing requirements on safety and health protection; special regulations governing requirements on safety and health protection and special regulations on waste management apply to the manufacture and market placement of those electronic appliances which are regulated by this part of the Act.

(2) Electronic devices are defined as devices requiring electric current or an electromagnetic field to function as well as devices for generating, transmitting and measuring such a current or field which belong to the category of electronic devices specified in Annex No 3a and which are intended for use at voltage levels of up to 1,000 V for alternating current and up to 1,500 V for direct current.

(3) Electronic waste is defined as electronic devices pursuant to Paragraph 2 which are waste (Section 2(1)) including components, structural components and wear parts which are part of the electronic device in question at the time it is dismantled by the holder.

(4) Electronic household waste is electronic waste which originates from the households of natural persons and from commercial, industrial, institutional and other sources which, in its composition and quantity, is similar to that originating from the households of natural persons.

(5) Electronic waste which is not electronic household waste is deemed to be any electronic waste which is not specified in Paragraph 4.

(6) Prevention is defined as measures aimed at reducing the quantity of electronic waste, as well as materials and substances found in it and their harmful effects on the environment.

(7) Reuse of electronic waste is an activity in which electronic waste or components thereof are used for the same purpose for which they were originally intended without recycling them.

(8) Electronic waste recycling is the reutilisation of materials and substances gained from electronic waste in a production process for the original purpose or for other purposes.

Utilisation of electronic waste by means of operation R1 pursuant to Annex No 2 is not deemed to be recycling.

(9) Electronic waste processing is the operation which takes place after the electronic waste has been transferred to the electronic waste processor for the removal of harmful substances, disassembly, wrecking, utilisation, environmentally friendly destruction and other operations leading to the utilisation and environmentally friendly destruction of parts of the electronic waste which cannot otherwise be reutilised for materials.

(10) An electronic waste processor is an entrepreneur whom the Ministry has granted an authorisation to process electronic waste pursuant to Section 8(3)(d).

(11) An electronic device manufacturer is a person who, regardless of the sales technique used including sales on the basis of remotely concluded contracts^{54a)}:

- a) manufactures and sells electronic devices under its brand name,
- b) resell electronic devices manufactured by other suppliers under its brand name; a seller who resells is not deemed to be the manufacturer if the electronic device bears the brand name of the manufacturer, as established in Letter a),
- c) imports or exports electronic devices within the European Community in the scope of its entrepreneurial activities.

(12) A person who provides financing exclusively on the basis, or in the scope of, a financing contract pursuant to Paragraph 15 is not deemed to be a manufacturer as long as he or she does not simultaneously operate as a manufacturer pursuant to Paragraph 11 Letters a) through c).

(13) A foreign electronic device manufacturer is defined as an electronic device manufacturer with headquarters or place of business outside the territory of the Slovak Republic who, in the scope of its entrepreneurial activities, sells electronic devices directly to a user in the Slovak Republic on the basis of a remote contract.

(14) A remote electronic device manufacturer is defined as an electronic device manufacturer with headquarters or place of business outside the territory of the Slovak Republic who, in the scope of its entrepreneurial activities, sells electronic devices directly to a user in another Member State on the basis of a remote contract.

(15) For the purposes of this Act, a financing contract is a contract on leasing, rental, renting out, instalment sale or a consumer loan contract^{54c)} concerning an electronic device, regardless of whether the conditions of such contract, agreement, supplementary contract or supplementary agreement stipulates that the transfer of ownership of said electronic device takes place or may take place.

(16) An electronic device distributor is a person who, in the scope of his entrepreneurial activities, supplies an electronic device directly to the user.

(17) Take-back is the act of taking electronic household waste from its holder when selling a new electronic device on the basis of a piece-for-piece exchange, as long as the electronic waste taken back originates from an electronic device of the same category and same functional purpose as the electronic device sold.

(18) For the purposes of this Act, the placement of an electronic device on the market is defined as the instant when the electronic device first passes from the manufacturing phase or importation phase to the phase of distribution or use in any of the Member States, be it in exchange for payment or free of charge.

(19) Separate collection is the collection of electronic waste in classification by electronic device group [Section 68(3) Letter. u)].

(20) The provisions of Paragraphs 1 through 19 and Section 54b through 54i do not apply to the disposal of electronic devices which are fixed components of devices other than electronic devices, as well as waste originating from them”.

The annotation below the line to reference 54c shall read:

“^{54c} Section 2(a) of Act No 258/2001 Coll. on consumer loans and on the amendment and supplementation of Slovak National Council Act No 71/1986 Coll. on Slovak commercial inspection, as amended”.

69. In Section 54b(1) of the introduction, the words “with the exception of remote manufacturers of electronic devices and foreign manufacturers of electronic devices” shall be inserted after the word the word “electronic devices”.

70. In Section 54b(1)(a), the words “in accordance with the special regulation^{68a)}” shall be inserted after the word “:proposed”.

The annotation below the line to reference 68a shall read:

“^{68a)} Act No 665/2007 Coll. on environmental design and use of productions using energy (the Ecodesign Act)”.

71. In Section 54b(1)(b) shall read:

“b) mark electronic devices during market placement with the protected trademark or designation which the manufacturer uses to identify itself and the time specification indicating that the electronic device was placed on the market after 13 August 2005; the obligation to mark electronic devices with the time specification may also be fulfilled by marking the electronic device with a graphic symbol pursuant to Letter c),”.

72. In Section 54b(1)(c), the words “this obligation does not apply to light sources;” after “separate collection” shall be omitted.

73. Section 54b(1)(d) and (e) shall read:

“d) ensure during placement on the market that new electronic devices belonging to categories 1 through 7 and 10 pursuant to Annex No 3a and lights and lamps intended for household use do not contain lead, cadmium, mercury, polybrominated biphenyl, polybrominated diphenyl ethers and hexavalent chromium in concentrations exceeding the maximum permissible concentration values established in the generally binding statutory regulation [Section 68(3)(u)], aside from exceptions established in the generally binding statutory regulation [Section 68(3)(u)]; this obligation does not apply to spare parts intended for the repair or reuse of electronic devices placed on the market before 1 July 2006,

e) ensure the following by individual or collective means or through a contractual partner:

1. free take-back and separate collection of electronic waste from its holder,
2. preferential reuse of electronic waste received as a whole pursuant to Item 1,
3. that electronic waste which cannot be reused as a whole is only deposited in equipment for processing electronic waste which has been authorised pursuant to Section 8(3)(d),
4. that electronic waste is processed in accordance with the established conditions [Section 68(3)(u)] and that waste received is utilised in accordance with Item 1,
5. the receipt of offered electronic waste intended for processing, regardless of meeting minimum amount limits”.

74. In Section 54b(1)(f), the words “and 2” shall be inserted after the words “Section 54e(1)” and the words “Paragraph 1” after the word “Section 54g” shall be omitted.

75. Section 54b(1)(g) and h) shall read:

“g) ensure that electronic waste generated pursuant to Letter e) of Item 1 is disposed of in such a manner as to ensure that electronic waste generated is disposed of within the established territorial areas, including ensuring the operation of at least one electronic waste collection facility [Section 68(3)(z)], and that the electronic waste received in the scope of the take-back and separate collection system is transferred to the processor, in which the reuse or recycling of said electronic waste is not hindered,

h) ensure that the separate collection, take-back, transport and processing of electronic waste have been conducted by means which do not hinder the reuse and recycling of components or the electronic waste as a whole”.

76. In Section 54b(1)(i), the word “minimum” shall be deleted and the following words shall be added at the end: “and ensure fulfilment of the waste management objective specified in Section 3(2) according to the electronic device manufacturers” market share [Section 54e(2)]”.

77. In Section 54b(1)(j), the words “hazardous substances⁶⁹⁾” shall be replaced by the words “components and materials which are found in the electronic device, location of hazardous substances⁶⁹⁾ and preparations within the electronic device”.

78. In Section 54b(1)(k), the word “consumers” shall be replaced by “electronic device users”, the comma after the word “waste” shall be deleted and the words “but deposit it at locations intended for this purpose” shall be replaced by the words “and collect it separately, at accessible take-back and separate collection points and, if necessary, transfer complete electronic waste”.

79. In Section 54b(1)(l), the words “within 30 days of commencing operations” shall be replaced with the words “prior to the placement of the electronic device on the market”.

80. The following words shall be added at the end of Section 54b(1)(m)(5): “in the form of a confirmation from a bank or branch of a foreign bank that there is a commensurate sum of money on the blocked bank account to the benefit of the Environmental Fund³⁵⁾ or confirmation that an insurance policy of the commensurate value has been taken out,”.

The annotation below the line to reference 35 shall read:

“³⁵⁾ Act No 587/2004 Coll. on the Environmental Fund and on the amendment and supplementation of several laws, as amended”.

81. The following words shall be added at the end of Section 54b(1)(n)(4): “in the form of a confirmation from a bank or branch of a foreign bank that there is a commensurate sum of money on the blocked bank account to the benefit of the Environmental Fund³⁵⁾ or confirmation that an insurance policy of the commensurate value has been taken out,”.
82. In Section 54b(1)(p), the words “in kilograms” shall be inserted after the word “year”; in Item Two, the words “collected electronic waste” shall be replaced by the words “electronic waste received in the take-back and separate collection system” and the comma after the word “category” shall be replaced by a semicolon.
83. Section 54b(1)(p) shall be supplemented by the addition of Item Seven, which shall read:
“7. the quantity of electronic waste upon entry to and discharge from the electronic waste processing facility and the electronic waste utilisation or recycling facility including preferentially collected materials and components; fulfilment of the obligations may also be accomplished through a contractual partner”.
84. Letter r) in Section 54b(1) shall be omitted.
85. Paragraph 2 in Section 54b shall be omitted.

The previous Paragraph 3 shall be designated Paragraph 2.

86. In Section 54b(2), the word “comparable” shall be replaced by the word “equivalent”.
87. Section 54b shall be supplemented by the addition of Paragraphs 3 through 5, which shall read:

“(3) Remote manufacturers of electronic devices are obligated to:
 - a) fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(a) through (c),
 - b) fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(d),
 - c) collectively fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(e) through (h), (j) and (k) on the basis of a contract with a collective organisation in another Member State in which they sell electronic devices directly to the users on the basis of a remote contract,
 - d) request the Ministry to be registered in the Registry of Electronic Device Manufacturers prior to the initial realisation of electronic device sales directly to users in other Member States on the basis of a remote contract,
 - e) specify the following in the application for registration in the Registry of Electronic Device Manufacturers, if a natural person or entrepreneur,
 1. commercial name and place of business,
 2. first name and surname, date of birth and address of permanent residence,
 3. identification number,
 4. category of electronic devices sold,

- 5. confirmation of membership in a collective organisation,
- f) specify the following in the application for registration in the Registry of Electronic Device Manufacturers, if a legal entity
 - 1. commercial name and registered office,
 - 2. identification number,
 - 3. category of electronic devices sold,
 - 4. confirmation of membership in a collective organisation,
- g) notify the Ministry of any change to the information specified in the application for registration in the Registry of Electronic Device Manufacturers within 30 days of the occurrence of the change,
- h) keep records concerning electronic devices placed on the market in individual Member States and electronic waste collected in individual Member States and notify the Ministry of the information from the records organised in categories pursuant to Paragraph 1(p) for the previous calendar by 31 March of the following calendar year,
- i) collectively fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(i) on the basis of a contract with a collective organisation in another Member State in which they sell electronic devices directly to the users on the basis of a remote contract.

“(4) Foreign manufacturers of electronic devices are obligated to:

- a) fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(a) through (c),
- b) fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(d),
- c) collectively fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(e) through (h), (j) and (k) on the basis of a contract with a collective organisation (Section 54ga(2)),
- d) request the Ministry to be registered in the Registry of Electronic Device Manufacturers prior to the initial realisation of electronic device sales directly to users in the Slovak Republic on the basis of a remote contract,
- e) specify the following in the application for registration in the Registry of Electronic Device Manufacturers, if a natural person or entrepreneur,
 - 1. commercial name and place of business,
 - 2. first name and surname, date of birth and address of permanent residence,
 - 3. identification number or other identification information,
 - 4. confirmation of membership in a collective organisation,
 - 5. category of electronic devices sold,
- f) specify the following in the application for registration in the Registry of Electronic Device Manufacturers, if a legal entity:
 - 1. commercial name and registered office,
 - 2. identification number or other identification information,
 - 3. confirmation of membership in a collective organisation,
 - 4. category of electronic devices sold,
- g) notify the Ministry of any change to the information specified in the application for registration in the Registry of Electronic Device Manufacturers within 30 days of the occurrence of the change,
- h) fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(p),
- i) collectively fulfil the obligations of the electronic device manufacturer pursuant to Paragraph 1(i) on the basis of a contract with a collective organisation (Section 54ga(2)).

(5) Electronic device manufacturers pursuant to Section 54a(11-13) who are not entered in the Registry of Electronic Device Manufacturers may not place electronic devices on the market.’

88. Section 54c, including the title, shall read:

Section 54c
Obligations of the electronic device distributor
and authorisations of the electronic device distributor and electronic device user

(1) The electronic device distributor is obligated to conduct take-back free of charge on premises which serve for electronic device sales. The electronic device distributor may reject a take-back if the electronic waste deposited does not contain the essential components of the electronic device from which it originates, or if contamination with other waste presents a risk to the health and safety of the personnel; the rejected electronic waste shall then be disposed of pursuant to Section 19(1)(f).

(2) The electronic device distributor is obligated to:

- a) transfer electronic waste which has been taken back to the manufacturer of the electronic device, a collective organisation (Section 54ga(2)) or to an entrepreneur authorised to collect or process electronic waste cooperating with the electronic device manufacturer or collective organisation on a contractual basis,
- b) take back electronic waste and transfer it to the persons specified in Letter a) in a manner which does not hinder the reuse or recycling of the electronic waste.

(3) When selling electronic devices, the electronic device distributor is obligated to impose a recycling fee pursuant to Section 54e(3), if said fee was imposed by the electronic device manufacturer when placing the electronic device on the market.

(4) The electronic device distributor is entitled to the free removal of electronic waste transferred to persons pursuant to Paragraph 2(a). The electronic device user is entitled to the free removal of electronic waste deposited into the take-back or separate collection system.

(5) In the case of an electronic device distributor who, in the scope of its entrepreneurial activities, supplies directly to the user an electronic device originating from an electronic device manufacturer not registered in the Registry of Electronic Device Manufacturers, the obligations of an electronic device manufacturer pursuant to Section 54b(1) Letters a) through h), j) and k), Sections 54e through 54g as well as the duties of notification and keeping records pursuant to Section 54b(1)(p), except for Item Six, shall be transferred to the electronic device distributor in relation to said electronic device and the waste arising from it”.

89. Letters e) and f) in Section 54d shall read:

“e) keep records and, on the basis of said records, notify the electronic device manufacturer on a quarterly basis and the Recycling Fund by the end of the following month after the quarter has elapsed of the following in kilograms according to electronic device category:

1. the quantity of electronic waste upon entry to and discharge from the electronic waste processing facility including preferentially collected substances and components,
2. quantity of electronic waste utilised for energy,
3. the quantity of electronic waste destroyed,

f) store the records pursuant to Letter e) in written or electronic form for at least five years,”.

90. The following words shall be added at the end of Section 54e(1): “(hereinafter “new electronic waste”)”.

91. Paragraph 4 in Section 54e shall be omitted.

The previous Paragraph 5 shall be designated Paragraph 4.

92. Paragraph 1 of Section 54f shall read:

“(1) The electronic device manufacturer is obligated to ensure at its own expense the individual or collective disposal of new electronic waste which is not electronic household waste if said waste originates from electronic devices of his manufacture, sale or import”.

93. Section 54f shall be supplemented by Paragraph 4, which shall read:

“(4) During the sale of an electronic device, an electronic device manufacturer and an electronic device user may, on the basis of a written contract, mutually agree to share the electronic waste disposal responsibilities of the electronic device manufacturer and of the holder of electronic waste arising from said device in a manner other than that established in Paragraphs 1 through 3”.

94. Section 54g, including the superscript, shall read:

Section 54g
Disposal of electronic waste from illumination devices

An electronic device manufacturer who places illumination devices on the market is obligated to ensure the individual or collective disposal of the electronic waste (Section 54ga(1)) at his own expense, regardless of the electronic device’s place or origin or date of being placed on the market.”

95. Section 54ga shall be added after Section 54g. Section 54ga, including superscript, shall read:

Section 54ga
Collective disposal of electronic waste

(1) Collective disposal of electronic waste is defined as the process of ensuring that electronic waste is disposed of by the electronic device manufacturer on the basis of a contract with a collective organisation while retaining the electronic device manufacturer’s responsibility for disposing of the electronic waste.

(2) A collective organisation is a legal entity established by at least one electronic device manufacturer and registered in the Registry of Collective Organisations.

(2) A legal entity shall specify the following in the application for registration in the Registry of Collective Organisations:

- a) commercial name and registered office,
- b) identification number,
- c) the category of electronic devices for which the collective organisation shall ensure electronic waste disposal,
- d) A list of electronic devices for which the collective organisation shall ensure electronic waste disposal.

(4) A legal entity shall enclose the following with the application pursuant to Paragraph 3:

- a) a contract or other official document with which the collective organisation was established,
- b) Articles and other documents governing the internal organisation of the applicant, if accepted,
- c) an extract from the commercial register no older than three months old,
- d) contractual provision of electronic waste disposal with at least two electronic device manufacturers,
- e) contractual provision of electronic waste processing using an authorised processing facility [Section 8(3)(d)].

(5) The Ministry shall register a legal entity in the Registry of Collective Organisations if said legal entity has:

- a) submitted the application pursuant to Paragraph 3,
- b) enclosed appendices pursuant to Paragraph 4 with the application.

(6) The collective organisation is obligated to:

- a) request the Ministry to be registered in the Registry of Collective Organisations,
- b) notify the Ministry of any change to the information specified in the application pursuant to Paragraph 3 or in the appendices pursuant to Paragraph 4 within 30 days of the occurrence of the change,
- c) keep records pursuant to Section 54b(1)(p) and announce information from them for all electronic device manufacturers for which he/she ensures electronic waste disposal, both individually and comprehensively,
- d) ensure collective fulfilment of the obligations of an electronic device manufacturer in the scope of the contract with the electronic device manufacturer.⁷

96. In Section 54h(1), the words “and a manufacturer of illumination sources who fulfils the obligations pursuant to Section 54g(1) are individually obligated” shall be replaced by the words “is obligated” and the word “recycling” shall be inserted after the word “commensurate”.

97. In Section 54h(2), a comma shall be inserted after the word “individually” and the words “and a manufacturer of illumination sources who shall fulfil the obligations pursuant to Section 54g(1) individually” shall be deleted.

98. Paragraph 1 of Section 54i shall read:

“(1) An electronic device manufacturer is obligated to pay a contribution to the Recycling Fund at the sum determined pursuant to Section 56”.

99. Paragraph 3 of Section 54i shall read:

“(3) Electronic device manufacturers shall pay the contribution pursuant to Section 42(10)”.

100. Section 54i shall be supplemented by Paragraph 6, which shall read:

“(6) A subject ensuring the collection, utilisation or destruction of electronic waste is obligated to:

- a) keep and store records on the electronic waste and on the volume of utilisation thereof from the waste collection on the territory of the Slovak Republic,
- b) announce the specified information from said records to the Recycling Fund, the competent district environmental office and the Ministry on a quarterly basis”.

101. In Section 55(1)(a), the words “Section 41” shall be replaced by the words “Sections 48 through 48f”.

102. Section 55(2)(e) shall read:

“e) electronic devices.”.

103. Paragraph 3 of Section 56 shall read:

“(3) A manufacturer’s contribution and an importer’s contribution shall be reduced by a contribution corresponding to the quantity of waste from products and materials for which the contribution to the Recycling Fund is paid and for which the manufacturer or importer demonstrates that he/she has ensured that said waste has been utilised by a subject who has been issued a permit for the operation of waste utilisation equipment [Section 1(1)(c), (h) and (r)] by means of any of the operations R1 through R11 specified in Annex No 2 or that he/she has ensured the processing of old vehicles and the result of said utilisation or processing is not waste; it is not possible to pay a contractual partner with funds from the Recycling Fund for this activity”.

104. In Section 56(5), the words “Section 41(15)” shall be replaced by the words “Section 48f(4)”.

105. The annotation below the line to reference 70a shall read:

“^{70a} Section 8(3)(z) of Act No 652/2004 Coll. on state administrative bodies in customs and on the amendment and supplementation of several acts, as amended by Act No 537/2007 Coll”.

106. Section 60 shall be supplemented by a new Paragraph 3, which shall read:

“(3) Members of the administrative board and members of the supervisory board who have been appointed state representatives may even be dismissed before they have completed their term in office specified in Section 58(3) and in Section 59(3) of the Act”.

The previous Paragraphs 3 and 4 shall be designated as Paragraphs 4 and 5.

107. In Section 60(5), the words “Paragraph 3” shall be replaced by the words “Paragraph 4”.

108. In Section 62(1)(a) Item One, the words “Section 41(11)” shall be replaced by the words “Section 48f(1)”.

109. Letter d) in Section 63(1) shall be omitted.

The previous Letters e) through i) shall be designated as Letters d) through h).

110. Paragraph 2 of Section 63 shall read:

“(2) 75% of the Recycling Fund’s sources of income specified in Paragraph 1(a) flow to the sector from which they originated, and 25% flow to the general sector. The Recycling Fund’s sources of income specified in Paragraph 1 Letters b), f), g) and h) flow to the general sector. Sources of income pursuant to Paragraph 1 Letters c), d) and e) flow to the sector from which the originated”.

111. In Section 63(1)(g) and Paragraph 3(a), the words “collection and” shall be inserted after the word “publicity”.

112. In Section 63, a new Paragraph 4 shall be added after Paragraph 3. The new Paragraph 4 shall read:

“(4) In the case of used batteries and rechargeable batteries, publicity pursuant to Paragraph 1(g) and Paragraph 3(a) contains information on:

- a) the possible effects of substances used in batteries and rechargeable batteries on the environment and human health,
- b) the need not to destroy used batteries and rechargeable batteries as mixed communal waste and on the user’s task in the separated collection thereof,
- c) accessible collection and recycling systems,
- d) the user’s task in recycling used batteries and rechargeable batteries,
- e) the meaning of the symbol listed in Annex No e) 7 and of the chemical symbols “Hg”, “Cd” and “Pb” specified on used batteries and rechargeable batteries”.

The previous Paragraphs 4 and 5 shall be designated as Paragraphs 5 and 6.

113. Section 64(1) shall read:

“(1) The municipality’s entitlement to a contribution stems from plausible demonstration of the separation and utilisation of the applicable commodity at the waste utilisation facility at which the waste was utilised by means of any of the operations R1 through R11 specified in Annex No 2. The contribution shall be rendered on the basis of a contract which the Recycling Fund must conclude with the municipality. This entitlement does not apply to electronic waste originating from the household”.

114. In Section 64(2), the words “with the exception of the reimbursement of funds paid pursuant to Paragraphs 13 and 14”.

115. Paragraphs 13 and 14 in Section 64 shall be deleted.

116. In Section 67(2), the word “and” shall be replaced by a comma and the following words shall be added at the end: “and customs authorities (Section 72c)”.

117 Section 68(2)(d) shall read:

- “d) shall, with the help of an authorised organisation (Section 40a(3)), keep and update a list of contaminated devices (Section 40a(3)), the Registry of Electronic Device Manufacturers [Section 54b(1)(1), Section 54b(3)(d)] and the Registry of Collective Organisations (Section 54ga(2)).”.
118. In Section 68(2)(g), the words “and the holder’s polychlorinated biphenyls” shall be inserted after the words “waste originator’s”.
119. In Section 68(2)(m), the words “for the authorised activity” shall be inserted after the words “persons professionally qualified”.
120. Section 68(2)(n) shall read:
“n) shall ensure that tests of the professional qualification for the authorised activity (Section 11(3)) and tests of authorised persons [Section 76(3)(d)] are conducted, shall ensure professional preparation for persons professionally qualified in the authorised activity through an authorised organisation [Section 11(2)(c) and Paragraph 6] and for authorised persons [Section 76(3)(c)], appoint persons professionally qualified in the authorised activity [Section 11(2)(d) and Paragraph 4] and authorised persons (Section 76(2) and (5)).”.
121. Section 68(2)(u) shall read:
“u) shall conduct the:
1. registration of the electronic device manufacturer in the Registry of Electronic Device Manufacturers and issue it confirmation of registration in the Registry of Electronic Device Manufacturers within 30 days as of receiving the completed application,
2. registration of the collective organisation in the Registry of Collective Organisations and issue it confirmation of registration in the Registry of Collective Organisations within 30 days as of receiving the application including appendices (Section 54ga(5)),
3. deletion of an electronic device manufacturer from the Registry of Electronic Device Manufacturers if he does not meet the definition of an electronic device manufacturer (Section 54a(11-13)),
4. deletion of a collective organisation from the Registry of Collective Organisations if it has not taken the corrective measures imposed by the state supervisory body in waste management (Section 73) and shall issue it a notification of deletion.”.
122. The following words shall be added at the end of Section 68(2)(v): “Art. 54b(3)(h) and Section 54b(4)(h), shall, on the basis of the information announced, inspect fulfilment of the obligations pursuant to Section 54b(1)(i), Section 54b(3)(h) and Section 54b(4)(h) and summarily evaluate fulfilment thereof one time annually for the purposes of notification in relation to the European Community (Section 68(4)).”.
123. The following words shall be added at the end of Section 68(2)(z): “and Section 54b(4)(h)”.
124. Section 68(2) shall be supplemented by Letters aa) through ac), which shall read:
“aa) keeps a Registry of Battery and Rechargeable Battery Manufacturers, registers manufacturers of batteries and rechargeable batteries and announced changes to

information and issues confirmation on registration in the Registry of Battery and Rechargeable Battery Manufacturers,
ab) keeps records of information announced pursuant to Section 48f(5) Letters b) and e) and Section 48f(6)(b),
ac) in the event of doubt, decides whether a device is or is not an electronic device to which Part Eight of the Act applies”.

125. Section 68(3)(b) shall read:

“b) details on technical, material and personnel provision of the authorised activity, on the procedure when appointing persons professionally qualified for authorised activity and on ensuring professional preparation,”.

126. In Section 68(3)(c), the words “for the authorised activity” shall be inserted after the word “persons”.

127. In Section 68(3)(i), the word “and” shall be replaced by a comma and the following words shall be added at the end: “and details on ensuring professional preparation and tests”.

128. In Section 68(3)(j), the words “road placards on retaining an old vehicle” shall be replaced by the words “on the extent of the notification duty for the processing of old vehicles”.

129. Section 68(3)(u) shall read:

“u) details on the disposal of electronic devices and electronic waste, on the classification of electronic waste for the purpose of separate collection and storage prior to processing, on storage including temporary storage, on the technical requirements for processing electronic waste, on marking electronic devices placed on the market with a graphic symbol, on the record-keeping and notification duties of the electronic device manufacturer and electronic waste processor, on the content and method of keeping the Registry of Electronic Device Manufacturers and on the template confirmation on registration in the Registry of Electronic Device Manufacturers, on the content and method of keeping the registry of collective organisation and on the template confirmation on registration in the Registry of Collective Organisations, the list of devices to which Part Eight of the Act applies, the maximum permissible concentration values and instances of permitted use of lead, mercury, cadmium, polybrominated biphenyl, polybrominated diphenyl ethers and hexavalent chromium,”.

130. In Section 68(3)(v), the word “and” shall be replaced by a comma and the words “and on the method of returning the deposit” shall be inserted after the word “deposit”.

131. Section 68(3) shall be supplemented by Letters w) through z), which shall read:

“w) details on the disposal of biodegradable waste,

x) details on specifying the capacity on portable and automobile batteries and rechargeable batteries, on the record-keeping and notification duties of the manufacturer of portable batteries and rechargeable batteries [Section 48f(5)(e)], on the method of keeping the Registry of Battery and Rechargeable Battery Manufacturers and the list of batteries and rechargeable batteries to which Part Six of the Act apply,

- y) requirements for the processing and recycling of used batteries and rechargeable batteries,
- z) the territorial area defined for the purposes of ensuring the accessibility of the electronic waste collection facility”.

132. Section 68(4) shall be supplemented by Letters c) and d), which shall read:

- “c) annual information on the collection proportion achieved for the previous calendar year and the method of gaining said information,
- d) annual information on the efficiency and achieved level of recycling used batteries and rechargeable batteries for the previous calendar year”.

133. In Section 69(b), the words “with the exception of Section 78(1)(e) and Section 78(3)(e)” shall be inserted after the words “Section 78”.

134. Section 69(d) shall read:

- “d) is authorised to conduct document inspection in the field of cross-border waste movement pursuant to the special regulations⁴⁵⁾ and pursuant to this Act, to conduct physical inspection of waste, take and analyse waste samples at the place of origin of the waste, at the notifier or recipient of the waste, at border crossings and in the entire territory of the Slovak Republic”.

135. In Section 70(d), the word “and” shall be replaced by a comma, the words “and the holder’s polychlorinated biphenyl programme,” shall be inserted after the word “municipality” and the word “exceeding” shall be replaced by the words “which exceed”.

136. In Section 71(e), the word “and” shall be replaced by a comma and the words “and the holder’s polychlorinated biphenyl programme” shall be inserted after the word “municipality”.

137. In Section 71(41)(a) Item One, the words “Section 41(18)(b)” shall be replaced by the words “Section 48f(6)(b)”.

138. In Section 71(f) Item Three, the words “Section 41(17)(b)” shall be replaced by the words “Section 48f(5)(b)”.

139. In Section 71(i), the words “Section 53(3) and (5)” shall be replaced by the words “Section 53(4) and (6)”.

140. Letter r) in Section 71 shall be omitted.

The previous Letter s) shall be marked as Letter r).

141. In Section 72b(1)(a), the words “specified in Section 41(3) to (6) and (9)” shall be replaced by the words “specified in Section 48b, Section 48c(2)(b), Section 48c(4) Letters b) and d), Section 48e, Section 48f(7)” and the words “and Section 54b(5)” shall be added at the end.

142. In Section 72b(2), a new Letter a) shall be inserted before Letter a). The new Letter a) shall read:

“a) enter storage and sales areas,”.

The previous Letters a) through f) shall be designated Letters b) through g).

143. In Section 72b(2), Letters b) through d) and Letter f), the words “and products” shall be inserted after the word “devices”.

144. In Section 72b(2)(g), the words “or products” shall be inserted after the words “electronic devices” and the words “does not correspond” shall be replaced by the word “do not correspond”.

145. Section 72c shall be added after Section 72b. Section 72c, including superscript, shall read:

Section 72c Customs authorities

(1) In the event of cross-border waste movement, the customs office and customs criminal office check whether:

- a) the waste is furnished with the documents pursuant to the special regulations,⁴⁵⁾
- b) wares being transported which are not accompanied by the documents required pursuant to the special regulations⁴⁵⁾ are not waste,
- c) the cross-border waste movement is not contrary to the special regulations,⁴⁵⁾
- d) the waste being transported corresponds to the facts according to the enclosed documents.

(2) During a check, the customs office and customs criminal office are authorised to detain vehicles, command vehicles to stop at a suitable location, inspect documents, the waste being hauled, take and analyse samples and conduct photodocumentation.

(3) If the customs office or customs criminal office determines that the cross-border waste movement constitutes unlawful transport pursuant to the special regulations⁴⁵⁾ or that the cross-border waste movement is being conducted in conflict with the permit, it will order the transport to stop and temporarily detain the vehicle.

(4) If the customs office or customs criminal office detects a violation of the special regulations⁴⁵⁾ during cross-border waste movement, it shall inform the Ministry and inspection without delay. The Ministry or inspectorate shall determine a location for the shipper to detain the vehicle until it is returned pursuant to the special regulation.⁸⁰⁾

(5) The costs connected with driving the vehicle to the location determined pursuant to Paragraph 4, parking the vehicle and potential transloading, storage or other handling of the waste shall be born by the shipper. The Ministry, inspectorate and customs authorities are not accountable for damages caused to the shipper which took place as a result of the detainment of the vehicle pursuant to Paragraph 4”.

The annotation below the line to reference 80 shall read:

⁸⁰⁾ Articles 22 through 25 of European Parliament and Council (EC) Regulation No 1013/2006, as amended”.

146. In Section 74(4), the word “and” after the word “m)” shall be replaced by a comma and the words “and p)” shall be inserted after the word “n)”.

147. In Section 75(1)(b) Item Five, the words “Section 78(2)(v)” shall be replaced by the words “Section 78(3)(l)”.

148. Section 76(3)(b) shall read:

“b) has a second-degree university education in a technical or natural science field and at least three years of experience relating to the field of the activity being assessed, in which he/she is applying for a certification to be issued or has a first-degree university education in a technical or natural science field or has a secondary school education in a technical field ending in graduation and at least five years of experience relating to the field of the activity being assessed in which he/she is applying for a certification to be issued or has a university education and at least six years of experience relating to the field of the activity being assessed in which he/she is applying for a certification to be issued or has a secondary school education ending in graduation and at least ten years of experience relating to the field of the activity being assessed in which he/she is applying for a certification to be issued; years of study are not counted as experience, only years of experience after completion of studies are”.

149. In Section 76(8), the words “on the basis of recommendation by the Testing Committee for Professional Qualification Verification” shall be entered after the word “Ministry”.

150. Item One of Section 77a(1)(a) shall be omitted.

The previous Item Two and Item Three shall be designated as Item One and Item Two.

151. In Section 78(1)(a), the words “or Section 6a” shall be inserted after the words “Section 6”.

152. In Section 78(1)(e), the words “Section 41(15)” shall be replaced by the words “Section 48f(4)”; the word “and” after the words “Section 48(7)” shall be replaced by a comma and the comma and the end of the sentence shall be deleted and replaced by the words “and Section 54i(4)”.

153. In Section 78(1)(g), the words “Section 41(17)(b), Section 41(18)(b)” shall be replaced by the words “Section 48f(5)(b), Section 48f(6)(b)”, the word “and” after the words “Section 54(5)(b)” shall be replaced by a comma and the comma and the end of the sentence shall be deleted and replaced by the following words: “and Section 54i(5)(b) or state false information in notifications,”.

154. In Section 78(1)(s), the words “g), h) and Section 54c(2)” shall be replaced by the words “Section 54b(3)(a) and Section 54b(4)(a)”.

155. Section 78(2) Letters g) through i) shall read:

“g) fails to keep or store records pursuant to Section 19(1)(g), Section 20(2)(a), Section 21(1)(f), Section 42(5)(a), Section 42(12)(a), Section 43(5)(a), Section 43(7)(a), Section 44(6)(a), Section 44(7)(a), Section 44a(5)(a), Section 44a(6)(a), Section 46(6)(a), Section 46(7)(a), Section 48(8)(a), Section 48(9)(a), Section 48f(5)(a), Section 48f(6)(a),

Section 54(5)(a), Section 54(6)(a) and Section 54i(5)(a) or fails to keep operational documentation pursuant to Section 21(1)(e) or enters false information in them,

h) does not permit the activity of state supervisory bodies in accordance with Section 19(1)(i), Section 20(2)(c), Section 21(1)(i), Section 42(11), Section 43(4), Section 44(5), Section 44a(4), Section 46(5), Section 48(7), Section 48c(1) and (2), Section 54(4), Section 54i(4) and Section 73(4),

i) fails to submit the documents pursuant to Section 19(1)(j) by the established deadline or fails to enter truthful or complete information in the documents submitted”.

156. Letter v) in Section 78(2) shall be omitted.

The previous Letters w) through zn) shall be designated as Letters v) through zm).

157. Section 78(2)(x) shall read:

“x) fails to fulfil an obligation pursuant to Section 48c Paragraphs 1, 2, 4 through 6 and 8, Section 48d and Section 48e.’

158. In Section 78(2)(zl), the words ‘i through r’ shall be replaced by the words ‘i through p’.

159. Section 78(3)(a) shall read:

“a) conducts waste transport contrary to Part Four of the Act [Section 18(3)(d)],”.

160. In Section 78(3)(d), the words “Section 24(2) and (3)” shall be replaced by the words “Section 25(1)to (3)”.

161. Section 78(3)(e) shall read:

“e) fails to pay a contribution to the Recycling Fund pursuant to Section 42(8) and (10), Section 43(1), Section 44(1), Section 44a(1), Section 46(1) and (2), Section 48(1) and (2), Section 48f(1), Section 54(1) and Section 54i(1) or fails to pay it in full in a timely fashion,”.

162. Section 78(3)(f) shall read:

“f) fails to fulfil an obligation pursuant to Section 54b(1) Letters d) and i), Section 54b(3) Letters b) and i), Section 54b(4) Letters b) and i) and Section 54b(5),”.

163. In Section 78(3)(h), the words “cross-border waste transport” shall be replaced by the words “cross-border waste movement” and the words “on cross-border waste transport” shall be replaced by the words “pursuant to the special regulation^{83aa)}”.

The annotation below the line to reference 83aa shall read:

“^{83aa)} Article 9 of European Parliament and Council (EC) Regulation No 1013/2006, as amended”.

164. Section 78(3) shall be supplemented by Letters l) through p), which shall read:

“l) fails to create a special-purpose financial reserve pursuant to Section 22(3), fails to transfer it within the established timeframe (Section 22(6)) or disposes of it in a manner contrary to Section 22,

m) violates the prohibition pursuant to Section 18(3)(p) or (r),

n) violates the prohibition pursuant to Section 18(3)(s) or (t),

o) violates the prohibition on placing batteries or rechargeable batteries on the market pursuant to Section 48b or Section 48f(7),
p) fails to ensure compliance with the requirements for processing and recycling used batteries and rechargeable batteries (Section 48c(7))”.

165. In Section 80(1)(h), the words “Section 41” shall be replaced by the words “Sections 48d(1), (3), (4)”.
166. In Section 80(1)(k), the words “Section 53(6)” shall be replaced by the words “Section 53(7)”.
167. In Section 80(1)(n), the words “Section 53(5)” shall be replaced by the words “Section 53(6)”.
168. In Section 80(2)(a), the words “a) through c) and f)” shall be replaced by the words “a) through c), f) and s)”.
169. In Section 80(2)(b), the words “g) through s)” shall be replaced by the words “g) through r)”.
170. In Section 81(21), the word “obligation” shall be replaced by the word “authorisation” and the word “specified” [‘uvedená’] shall be replaced by the word “specified” [‘uvedené’].

171. Sections 81b through 81j shall be added after Section 81a. Sections 81b through 81j shall read:

Section 81b

A subject with a registered office or place of business outside the territory of the Slovak Republic who, in the subject of his entrepreneurial activity, sells an electronic device directly to a user in the Slovak Republic on the basis of a remote contract, a subject with a registered office or place of business within the territory of the Slovak Republic who, in the scope of his/her entrepreneurial activities, sells an electronic device directly to a user in another Member State on the basis of a remote contract or a subject with a registered office or place of business within the territory of the Slovak Republic who, in the scope of his/her entrepreneurial activities, exports an electronic devices as of 1 September 2009, is obligated to submit an application for registration in the Registry of Electronic Device Manufacturers to the Ministry within 60 days as of 1 September 2009.

Section 81c

A legal entity, who as of 1 September 2009 conducts activities of a collective organisation, is obligated to submit an application for registration in the Registry of Collective Organisation to the Ministry within 60 days, as of 1 September 2009.

Section 81d

A subject, who as of 1 September 2009, holds an authorisation for an activity specified in Section 8(3)(a) for which authorisation at the amended extent pursuant to this Act is required, is obligated to submit the ruling on the award of the authorisation to the Ministry within a term of three months as of the day upon which this Act enters into legal effect; the Ministry is obligated to revise the ruling on the award of the authorisation within a term of three months as of the date of its submission.

Section 81e

A subject who conducts the collection of used automobile and industrial batteries and rechargeable batteries as of 1 September 2009 is obligated to apply for collection authorisation pursuant to Section 8(3)(a) within a term of three months as of the day upon which this Act enters into legal effect.

Section 81f

The Ministry fulfils the notification duty pursuant to Section 68(4)(c) by initially sending the information to the European Commission by 30 June 2013 for the year 2012, and on an annual basis thereafter.

Section 81g

The Ministry fulfils the notification duty pursuant to Section 68(4)(d) by initially sending the information to the European Commission by 30 June 2011 for the year 2010, and on an annual basis thereafter.

Section 81h

A subject who conducts take-back as of 1 September 2009 is obligated to submit a notification on the performance of the activity for the requisite registration to the district environmental office within a term of three months as of the day upon which this Act enters into legal effect.

Section 81i

A holder of an old vehicle which will not be transferred to another person for the purpose of use as a motor vehicle and which physically does not exist, is entitled to proceed pursuant to the special regulations⁸⁵⁾ if the obligations pursuant to Section 51(2) are fulfilled by 31 October 2009.

Section 81j

A subject who places an electronic device on the market as of 1 September 2009 is obligated to apply for registration in the Registry of Electronic Device Manufacturers pursuant to Section 54b(1)(l) within a term of 30 days as of the day upon which this Act enters into legal effect”.

The annotation below the line to reference 85 shall read:

“⁸⁵⁾ Section 143(6) of Act No 8/2009 Coll on road transit and on the amendment and supplementation of several laws”.

172. Annex No 1a shall be supplemented by Item Eleven, which shall read:
“II. European Parliament and Council Directive 2006/66/EC dated September 6 2006 on batteries and rechargeable batteries and on used batteries and rechargeable batteries, rescinding Directive 91/157/EEC (EU Official Journal L 266, 26 September 2006) as amended by European Parliament and Council Direction 2008/103/EC dated 19 November 2008 (EU Official Journal L 327, 5 December 2008)”..
173. In the title of Annex No 3a, the word “seventh” shall be replaced by the word “eighth”.

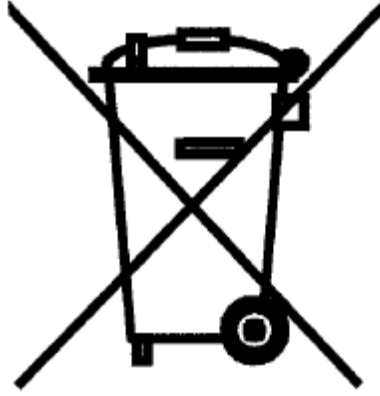
174. Annex No 7 shall read:

“Annex No 7 to Act No 223/2001 Coll.

Symbol indicating the separate collection of electrical and electronic devices
including batteries and rechargeable batteries

The symbol indicating the separate collection of electrical and electronic devices including batteries and rechargeable batteries, specified in this Annex, consists of a dustbin on wheels which has been crossed out.

The symbol must be imprinted in a clear, legible and indelible manner.



”.

175. Annex No 8 shall be omitted.

Article II

This Act shall enter into legal effect on 1 September 2009, with the exception of Section 48e(b), which shall enter into legal effect on 1 October 2009, and the exception of the amendments in Section 44(1), Section 44a(1), Section 46(1), Section 46(2), Section 48(1), Section 48(1), which shall enter into legal effect on 1 January 2010.

President of the Slovak Republic

Chairman of the National Council of the Slovak Republic

Chairman of the Government of the Slovak Republic