

**LAW
ON AMENDMENTS TO THE LAW ON WASTE MANAGEMENT**

Article 1

In the Law on Waste Management ("Official Gazette of the Federation of BiH", 33/03 and 72/09), in Article 4, after the definition of "inert waste", the following definition is added: "Special categories of waste' are waste materials that are significant either in terms of their harmful effects on the environment and human health, or in terms of the quantities generated, and as such require a specifically regulated system of management from the place of generation, through collection, transport and treatment, to final disposal."

In the same article, after the definition of "producer", a new definition is added: "Producer and importer of products' is a legal entity that, on a professional basis, develops, manufactures, processes, treats, sells, introduces or imports, or first places on the market of the Federation of BiH products, devices and equipment that, after use, become special categories of waste."

In the same article, after the definition of "operator", a new definition is added: "System operator' is a legal entity that, under the principle of 'extended producer responsibility', fulfills the targets for recycling and recovery of special categories of waste; it may be established exclusively by legal entities engaged in business activities involving the placing on the market of products that become special categories of waste."

Article 2

After Article 18, new Articles 18a and 18b are added as follows:

**Article 18a
Special Categories of Waste**

The producer and importer of products is socially and financially responsible for the environmental burden that may be caused by the products it places on the market of the Federation of BiH, which, after use, become special categories of waste.

Special categories of waste include: packaging waste, end-of-life vehicles, waste oils, waste batteries and accumulators, waste tires, waste electrical and electronic equipment, asbestos-containing waste, PCB-containing waste, waste from titanium dioxide production, medical waste, animal waste, and construction waste.

Implementing regulations shall determine the criteria, deadlines and methods for the management of special categories of waste.

Implementing regulations shall determine the criteria for the calculation and payment of fees for special categories of waste, the manner and deadlines for reporting, the reporting and payment obligations, as well as the amount of fees for certain products that, after use, become special categories of waste, and other ways of managing special categories of waste.

Implementing regulations shall determine the method of allocation and investment of collected fees, as well as the conditions for the granting of incentive funds.

Article 18b

Fees for the special categories of waste referred to in Article 18a, paragraph 2 shall be paid into the Environmental Protection Fund of the Federation of Bosnia and Herzegovina (hereinafter: the

Fund) as a special category within the Fund's organizational and management system, or to authorized system operators.

The Fund shall allocate the collected funds to the cantons in proportion to the distribution of funds as defined by the Law on the Environmental Protection Fund, for projects and activities related to the management of special categories of waste, as regulated by the regulation referred to in Article 18a, paragraph 5 of this Law.

The Fund shall adopt an annual plan for the management of special categories of waste and a financial plan for special categories of waste.

The plan for the management of special categories of waste and the financial plan for special categories of waste shall be approved by the Government of the Federation of BiH, with the prior consent of the Federal Ministry.

Article 3

After Article 37, a new Article 37a is added as follows:

Article 37a

The Waste Management Information System (hereinafter: the Information System) is a set of interconnected databases and data sources on all types and streams of waste, entities and infrastructure for waste management, and shall be established within the Fund.

Implementing regulations shall prescribe the method and financial-technical aspects of the establishment, operation and maintenance of the Information System, as well as reporting deadlines and the manner of submitting waste-related information.

Article 4

In Article 49, paragraph 1, after the words "environmental inspectors", the words "and market and tourism-hospitality inspector" are added.

Article 5

In Article 53, paragraph 1, the words: "A fine in the amount of BAM 1,000.00 to 10,000.00 shall be imposed on any legal entity for an offense" shall be amended as follows: "A fine in the amount of BAM 10,000.00 to 40,000.00 shall be imposed on any legal entity for an offense, and for a repeated offense a fine in the amount of BAM 50,000.00 to 100,000.00, if:

- it transports waste in a manner that may cause environmental pollution, contrary to the provisions of Article 32, paragraph 1 of this Law;
- in the event of pollution occurring during transport, the carrier fails to clean and restore the polluted area to its original state, contrary to the provisions of Article 32, paragraph 2 of this Law;
- it fails to deliver the waste to the destination specified by the consignor, which has been approved as a waste management location, contrary to the provisions of Article 32, paragraph 4 of this Law;
- if, in the event that delivery to the destination is not possible, the carrier fails to return the waste to the consignor, contrary to the provisions of Article 32, paragraph 5 of this Law."

In paragraph 1, item 2 is amended as follows: "- fails to act in accordance with Article 24."

Paragraph 2 is amended as follows:

"A fine in the amount of BAM 2,000.00 to 5,000.00 shall be imposed on the responsible person in a legal entity for the offense referred to in paragraph 1 of this Article, and in case of a repeated offense a fine in the amount of BAM 6,000.00 to 10,000.00."

Paragraph 3 is amended as follows:

“A fine in the amount of BAM 500.00 to 2,000.00 shall be imposed on a natural person for the offense referred to in paragraph 1 of this Article, and in case of a repeated offense a fine in the amount of BAM 3,000.00 to 5,000.00.”

After paragraph 3, a new paragraph 4 is added as follows:

“A fine in the amount of BAM 1,000.00 to 3,000.00 shall be imposed on a person engaged in independent business activity – craft, for the offense referred to in paragraph 1 of this Article, and in case of a repeated offense a fine in the amount of BAM 4,000.00 to 5,000.00.”

Article 6

In Article 58, after paragraph 2, new paragraphs 3, 4 and 5 are added as follows:
“The regulations referred to in Article 18a, paragraphs 4 and 5 shall be adopted by the Government of the Federation of BiH within two months from the date of entry into force of this Law.

The regulations referred to in Article 18a, paragraph 3 shall be adopted by the Minister within one year from the date of entry into force of this Law.

The regulation referred to in Article 37a, paragraph 2 shall be adopted by the Government of the Federation of BiH within two months from the date of entry into force of this Law.”

Paragraph 8 is deleted.

Former paragraphs 3, 4, 5, 6, 7, 9, 10 and 11 become paragraphs 6, 7, 8, 9, 10, 11, 12 and 13.

Article 7

By the adoption of the implementing regulation referred to in Article 18a, paragraph 4 of this Law, the existing implementing regulations for special categories of waste and administrative acts adopted on their basis shall cease to apply.

Article 8

This Law shall enter into force on the eighth day following its publication in the “Official Gazette of the Federation of BiH.”

Chairman

House of Representatives

Parliament of the Federation of BiH

Edin Mušić, signed

Chairwoman

House of Peoples Parliament of the Federation of BiH

Lidija Bradara, signed