

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, 72/09 and 92/17, hereinafter: the Law), in Article 3, paragraph (3), the word "Management" shall be replaced with the words: "Taking into account the principles of circular economy, management".

Article 2

In Chapter II DEFINITIONS, in Article 4, item 29, after the word "waste", the semicolon shall be replaced with a period, and a new sentence shall be added as follows: "Centers may be municipal, inter-municipal, city, inter-city, cantonal, inter-cantonal, and regional."

Article 3

After Article 33, a new Article 33a shall be added, as follows:

"Article 33a

(1) The conditions for determining waste disposal at landfills, the method, control procedures, monitoring and supervision, as well as other technical conditions, operating conditions for landfills, the method and conditions for waste disposal and the method and conditions for closure, shall be prescribed by an implementing regulation.

(2) The provisions of the regulation referred to in paragraph (1) of this Article shall apply to all owners, disposers, operators, producers, and all natural and legal persons who dispose of waste within the scope of their activities."

Article 4

In Article 49, after paragraph (1), a new paragraph (2) shall be added, as follows: "(2) For special categories of waste for which a fee is charged, the competent authorities shall be the Federal Market Inspectorate and the Federal Urban Planning and Environmental Inspectorate."

The existing paragraphs (2), (3), and (4) shall become paragraphs (3), (4), and (5).

Article 5

Article 53 shall be amended as follows:

"Article 53

(1) A fine ranging from 10,000.00 KM to 20,000.00 KM shall be imposed for an offense on any legal entity, and for a repeated offense, a fine ranging from 15,000.00 KM to 25,000.00 KM shall be imposed, if it:

- fails to obtain a permit for waste management activities (Article 12) or violates the conditions prescribed in the permit;
- fails to manage a special category of waste referred to in Article 18a, paragraph (2) of this Law;
- transports waste in a manner that may cause environmental pollution, contrary to 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 condition, contrary to Article 32, paragraph (2) of this Law;

- fails to deliver waste to the destination designated by the consignor and approved as a waste management location, contrary to Article 32, paragraph (3) of this Law;
- if the carrier, in the event of inability to deliver to the destination, fails to return the waste to the consignor, contrary to Article 32, paragraph (4) of this Law;
- transports waste contrary to Article 32, paragraph (5) of this Law;
- disposes of waste contrary to Article 33 of this Law;
- engages in transboundary movement of waste contrary to Article 39, paragraph (3) of this Law.

(2) For the offense referred to in paragraph (1) of this Article, the responsible person within the legal entity shall be fined between 2,000.00 KM and 4,000.00 KM, and for a repeated offense between 4,500.00 KM and 5,000.00 KM.

(3) For the offense referred to in paragraph (1) of this Article, a person performing an independent business activity/craft shall be fined between 1,000.00 KM and 3,000.00 KM, and for a repeated offense between 4,000.00 KM and 6,000.00 KM.

(4) A fine ranging from 5,000.00 KM to 10,000.00 KM shall be imposed for an offense on any legal entity, and for a repeated offense, a fine ranging from 10,000.00 KM to 15,000.00 KM shall be imposed, if it:

- fails to submit to the Fund or the system operator the regular annual report, or submits an incomplete or incorrect report referred to in Article 18a, paragraphs (3) and (4) of this Law;
- fails to submit data to the waste management information system referred to in Article 37a of this Law.

(5) For the offense referred to in paragraph (4) of this Article, the responsible person within the legal entity shall be fined between 1,000.00 KM and 2,000.00 KM, and for a repeated offense between 1,500.00 KM and 3,000.00 KM.

(6) For the offense referred to in paragraph (4) of this Article, a person performing an independent business activity/craft shall be fined between 500.00 KM and 1,000.00 KM, and for a repeated offense between 1,000.00 KM and 2,000.00 KM.

(7) A natural person shall be fined between 500.00 KM and 2,000.00 KM for the offense referred to in paragraph (1) of this Article, and for a repeated offense between 3,000.00 KM and 5,000.00 KM."

Article 6

In Article 58, after paragraph (8), a new paragraph (9) shall be added, as follows:"

(9) The regulation referred to in Article 33a shall be adopted by the Federal Minister within 12 months from the date of entry into force of this Law."

The existing paragraphs (9) to (13) shall become paragraphs (10) to (14).

Article 7

This Law shall enter into force on the eighth day from the date of its publication in the "Official Gazette of the Federation of BiH".

Chairman of the House of Representatives
Parliamentary Assembly of the Federation of BiH
Dragan Mioković, signed

Chairman of the House of Peoples
Parliamentary Assembly of the Federation of BiH
Tomislav Martinović, signed