

Directive 2008/98/EC (Compliance Table)

Directive 2008/98/EC of the European Parliament and the Council, dated November 19, 2008, "On Waste", which repeals several directives.		Proposed Albanian Legislation (Title of the Draft Act)  "Draft Law on Integrated Waste Management" (Draft Law)  <i>Partial Compliance</i>				
1	2	3	4	5	6	7
Article	Text	References	Article	Text	Compliance	Remarks

<p><i>Article 1</i> <b>Subject and Scope of Action</b></p>	<p>This Directive establishes measures to protect the environment and human health by preventing or reducing the creation of waste, the negative impacts of waste creation and management, and by reducing the overall impacts of resource use while improving the efficiency of this use. These measures are essential for the transition to a circular economy and for ensuring the long-term competitiveness of the Union.</p>	<p><i>Draft Law</i></p>	<p>1,2</p>	<p><i>Article 1</i> <b>Objective</b></p> <p>The purpose of this law is to establish an integrated waste management system to ensure the protection of the environment and human health, as well as to ensure the efficient use of resources, creating the necessary conditions for the transition to a circular economy model.</p> <p><i>Article 2</i> <b>Subject and Scope of Action</b></p> <p>The object of this law is to define the rules for the operation of the integrated waste management system and the implementation of the waste hierarchy measures to achieve the following objectives:</p> <ul style="list-style-type: none"> <li>a) prevention or reduction of waste;</li> <li>b) prevention or reduction of negative impacts from the creation and management of waste;</li> <li>c) reduction of the impact of resource use and improvement of the efficiency of their use.</li> </ul> <p>The provisions of this law cover all activities of integrated waste management within the territory of the Republic of Albania and apply to all natural and legal persons who have rights and obligations in accordance with the provisions of this law.</p>	<p>Full</p>	<p>Articles 1 and 2 of the draft law on integrated waste management, read together, are in full compliance with Article 1 of Directive 2008/98/EC on waste.</p>
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<b>Article 2</b> <b>Exceptions from the Scope of Application</b> <i>(1)</i>	1. The following areas are excluded from the scope of this Directive:	<i>Draft Law</i>	3 (1)	<b>Article 3</b> <b>Exemptions from the Scope of Application</b>  The following areas are excluded from the scope of this law, which are regulated by specific legislation:	Full	Just like the Waste Directive, the draft law on integrated waste management excludes from the scope of application all the elements covered by Article 2(1) of the Directive. However, unlike the Directive, the draft law also excludes ships that are no longer in use (Article 3(1)(e)) because they are regulated by a special law. This change in the draft law does not affect the compliance level of this provision, which remains complete.
2 (1) (a)	a) gase emissions into the atmosphere;	<i>Draft Law</i>	3 (1) (a)	gas emissions into the atmosphere	Full	Article 3(1)(a) of the draft law is in full compliance with Article 2(1)(a) of Directive 2008/98/EC.
2 (1) (b)	b) land in situ (in its original position and untouched), including contaminated unexcavated soils and buildings that are permanently attached to the land.	<i>Draft Law</i>	3 (1) (b)	land in situ (in its original position and untouched), including contaminated unexcavated soils and buildings that are permanently attached to the land.	Full	Article 3(1)(b) of the draft law is in full compliance with Article 2(1)(b) of Directive 2008/98/EC.
2 (1) (c)	c) Uncontaminated soils and other natural materials excavated as a result of construction activities, in cases where it is certain that the material will be used for construction purposes in its natural state in the area from which it was excavated	<i>Draft Law</i>	3 (1) (c)	Uncontaminated soils and other natural materials excavated as a result of construction activities, in cases where it is certain that the material will be used for construction purposes in its natural state in the area from which it was excavated	Full	Article 3 (1) (c) of the draft law is fully in compliance with Article 2 (1) (c) of Directive 2008/98/EC.
2 (1) (d)	d) Radioactive waste;	<i>Draft Law</i>	3 (1) (ç)	Radioactive waste;	Full	Article 3(1)(ç) of the draft law is fully in compliance with Article 2(1)(d) of Directive 2008/98/EC.
2 (1) (e)	e) deactivated explosives;	<i>Draft Law</i>	3 (1) (d)	deactivated explosives	Full	Article 3 (1) (d) of the draft law is fully compliant with Article 2 (1) (e) of Directive 2008/98/EC.
2 (1) (f)	f) Fecal matter, if not mentioned in paragraph 'b' of this article, straw and other non-hazardous natural, agricultural, or forestry materials, used in agriculture, forestry, or for the production of energy from such biomass, through processes or methods that do not harm the environment and do not pose a risk to human health;	<i>Draft Law</i>	3 (1) (dh)	Fecal matter, unless mentioned in letter 'b' of this article, straw and other non-hazardous natural, agricultural, or forestry materials, used in agriculture, forestry, or for the production of energy from such biomass, through processes or methods that do not harm the environment and do not endanger human health;	Full	Article 3 (1) (dh) of the draft law is in full compliance with Article 2 (1) (f) of Directive 2008/98/EC.
2 (2)	2. The following areas are excluded from the scope of this Directive, for the parts that are regulated by other Community legislation	<i>Draft Law</i>	3 (2)	2. The following areas are excluded from the scope of this Directive, for the	Full	Just like the Waste Directive, the draft law on integrated waste management also excludes from its

				parts that are regulated by other Community legislation:		scope all elements covered by Article 2 (2) of the Directive, for the part regulated by specific sectoral laws.
2 (2) (a)	a) wastewater;	<i>Draft Law</i>	3 (2) (a)	a) wastewater;	Full	Article 3(2)(a) of the draft law is in full compliance with Article 2(2)(a) of Directive 2008/98/EC.
2 (2) (b)	b) Animal by-products, including processed products, except those intended for incineration, landfill, or for use in a composting or biogas plant;	<i>Draft Law</i>	3 (2) (b)	b) Animal by-products, including processed products, except those intended for incineration, landfill, or for use in a composting or biogas plant;	Full	Article 3 (2) (b) of the draft law is in full compliance with Article 2 (2) (b) of Directive 2008/98/EC.
2 (2) (c)	c) Animal carcasses when slaughtered in slaughterhouses or killed to eliminate epizootic diseases and are disposed of in accordance with Regulation (EC) No. 1774/2002;	<i>Draft Law</i>	3 (2) (c)	c) Animal carcasses when slaughtered in slaughterhouses or killed to eliminate epizootic diseases	Full	Article 3 (2) (c) of the draft law is in full compliance with Article 2 (2) (c) of Directive 2008/98/EC..
2 (2) (d)	d) Wastes arising from exploration, extraction, treatment, and storage of mineral resources and from quarry operations covered by Directive 2006/21/EC of the European Parliament and of the Council of March 15, 2006, on the management of waste from extractive industries. <sup>1</sup> ;	<i>Draft Law</i>	3 (1) (ë)	ë) Waste resulting from the exploration, exploitation, processing and storage of mineral resources and from quarrying operations.	Full	Article 3(2)(ç) of the draft law is fully in compliance with Article 2(2)(d) of Directive 2008/98/EC.
2 (2) (e)	e) Substances which are specifically intended to be used as animal feed materials as defined in point (g) of Article 3(2) of Regulation (EC) No. 767/2009 of the European Parliament and of the Council and which do not consist of or contain animal by-products.	<i>Draft Law</i>	3 (2) (ç)	ç) Substances that are specifically intended to be used as animal feed materials and that do not contain or originate from animal by-products.	Full	Article 3(2)(d) of the draft law is in full compliance with Article 2(2)(e) of Directive 2008/98/EC.
2 (3)	3. Without prejudice to the obligations arising from other Community legislation, sediments returned to surface waters for the purpose of water management and waterway navigation, or for the prevention or mitigation of flood and drought effects or for land reclamation, are excluded from the scope of this Directive when it is proven that these sediments are non-hazardous.	<i>Draft Law</i>	3 (3)	3. Without prejudice to the obligations arising from specific legislation, sediments returned to surface waters for the purpose of water management and waterway, or for the prevention or mitigation of flood and drought effects or for land reclamation, are excluded from the scope of this law when it is proven that these sediments are non-hazardous.	Full	Article 3(3) is in full compliance with Article 2(3) of Directive 2008/98/EC on waste.
2 (4)	4. Specific rules for particular cases, or those complementing those of this Directive, regarding the management of specific categories of waste, may be established through individual Directives..	<i>Draft Law</i>	-	-	Full	Article 2(4) of Directive 2008/98/EC on waste pertains to EU legislation and is not applicable to Albania. However, the Albanian draft law follows the model of EU legislation and allows for specific aspects of

<sup>1</sup> OJ L 102, 11.4.2006, p. 15.

						waste management to be regulated by special legislation.
<b>Article 3 Definitions</b>	For the purposes of this Directive, the following definitions shall apply:	<i>Draft Law</i>	4	<b>Article 4 Definitions</b>  In this law, the following terms have the meanings listed below:	Partial	Almost all of the definitions from Directive 2008/98/EC are reflected in the Albanian legislation, using the same terms and concepts as the directive. A detailed analysis is provided below
3 (1)	1. Waste' means any substance or object that the holder discards or intends or is required to discard.	<i>Draft Law</i>	4 (17)	17. Waste' means any substance or object that the holder discards, intends to discard, or is required to discard.	Full	The definition in Article 4(18) of the draft law on integrated waste management is in full compliance with Article 3(1) of Directive 2008/98/EC.
3 (2)	2. 'hazardous waste' means waste which displays one or more of the hazardous properties listed in Annex III	<i>Draft Law</i>	4 (26)	26. 'hazardous waste' means waste which displays one or more of the hazardous properties listed in Annex III, attached to this law..	Partial	The definition in Article 4(26) of the draft law is aligned with Article 3(2) of Directive 2008/98/EC on waste, but because Annex 3 of the draft law is not fully aligned with Annex 3 of the directive, the alignment is partial.
3 (2a.)	2a. 'non-hazardous waste' means waste which is not covered by point 2.	<i>Draft Law</i>	4 (28)	28. Non-hazardous waste' means waste that does not display the properties of waste provided for in point 26 of this article.	Full	The definition in Article 4 (28) of the draft law is fully aligned with Article 3 (2a.) of Directive 2008/98/EC on waste.
3 (2b.)	2b. 'municipal waste' means:  (a) mixed waste and separately collected waste from households, including paper and cardboard, glass, metals, plastics, biowaste, wood, textiles, packaging, waste electrical and electronic equipment, waste batteries and accumulators, and bulky waste, including mattresses and furniture; (b) mixed waste and separately collected waste from other sources, where such waste is similar in nature and composition to waste from households; Municipal waste does not include waste from production, agriculture, forestry, fishing, septic tanks and sewage network and treatment, including sewage sludge, end-of-life vehicles or construction and demolition waste. This definition is without prejudice to the allocation of responsibilities for waste management between public and private actors;	<i>Draft Law</i>	4 (19)	19. "Municipal waste" refers to:  (a) Mixed waste and separately collected waste from households including paper and cardboard, glass, metals, plastics, bio-waste, wood, textiles, packaging, electrical and electronic equipment, including all individual or combined components and the consumables that are an integral part of such equipment, waste batteries, bulky waste, including furniture, mattresses and similar items. (b) Mixed waste and separately collected waste from other sources, where such waste is similar in nature and composition to waste from household (c) Municipal waste does not include waste from production, agriculture, forestry, fishing, septic tanks, sewage network and wastewater treatment, drainage systems, as well as wastewater	Full	The definition in Article 4 (19) of the draft law is fully aligned with Article 3, point 2b of Directive 2008/98/EC on waste and with Directive 2012/19/EU on waste electrical and electronic equipment in relation to the term 'electrical and electronic equipment.' It should be noted that the last paragraph of point 2b of Directive 2008/98/EC is not included in the definition in the draft law. However, the draft law does not prevent the management of municipal waste from being carried out by private entities.

				sludge, end-of-life vehicles, or construction waste		
3 (2c.)	2c. 'construction and demolition waste' means waste generated by construction and demolition activities;	Draft Law	4 (24)	24. "Construction waste" means waste generated by construction or demolition activities.	Full	The definition in Article 4(24) of the draft law is fully aligned with Article 3, point 2c of Directive 2008/98/EC. Although the term "demolition" has been removed from the title of the definition in the draft law, the content remains the same because waste from demolition is also included under this definition. Therefore, this change does not pose a problem.
3 (3)	3. 'waste oils' means any mineral or synthetic lubrication or industrial oils which have become unfit for the use for which they were originally intended, such as used combustion engine oils and gearbox oils, lubricating oils, oils for turbines and hydraulic oils.	Draft Law	4 (65)	66. 'waste oils' means any mineral or synthetic lubrication or industrial oils which have become unfit for the use for which they were originally intended, such as used internal combustion engine oils and gearbox oils, lubricating oils, oils for turbines and hydraulic oils.	Full	The definition in Article 4 (66) of the draft law is fully aligned with Article 3 (3) of Directive 2008/98/EC.
3 (4)	4. 'bio-waste' means biodegradable garden and park waste, food and kitchen waste from households, offices, restaurants, wholesale, canteens, caterers and retail premises and comparable waste from food processing plants;	Draw Law	4 (19)	19. 'bio-waste' means biodegradable garden and park waste, food and kitchen waste from households, offices, restaurants, wholesale, canteens, caterers and retail premises and comparable waste from food processing plants;	Full	The definition in Article 4(19) of the draft law is fully aligned with Article 3(4) of Directive 2008/98/EC.
3 (4a.)	4a. 'food waste' means all food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council (1) that has become waste;	Draft Law	4 (21)	21. "Food waste" is all food that has become waste	Partial	The definition in Article 4(21) of the draft law is partially aligned with Article 3(4a) of Directive 2008/98/EC, because the definition of the term 'food' as established by Law No. 9863, dated 28.1.2008 'On Food', is only partially consistent with the definition of 'food' as set out in Article 2 of Regulation (EC) No. 178/2002. Specifically, the alignment is considered partial because: 1. The 'Food Law' includes the term 'food additives', which are not included in the regulation's definition; 2. The definition in the food law lacks the exclusion of 'medical devices'.

						Full alignment can only be achieved by amending the definition of the term 'food' in the special law.
3 (5)	5. 'waste producer' means anyone whose activities produce waste (original waste producer) or anyone who carries out preprocessing, mixing or other operations resulting in a change in the nature or composition of this waste.	Draft Law	4 (12)	12. 'waste producer' means anyone whose activities produce waste or anyone who carries out preprocessing, mixing or other operations resulting in a change in the nature or composition of this waste.	Full	The definition in Article 4 (12) of the draft law is fully aligned with Article 3(5) of Directive 2008/98/EC.
3 (6)	6. 'waste holder' means the waste producer or the natural or legal person who is in possession of the waste.	Draft Law	4 (66)	66. 'waste holder' means the waste producer or any person who is in possession of the waste.	Full	The definition in Article 4(66) of the draft law is fully aligned with Article 3(6) of Directive 2008/98/EC.
3 (7)	7. 'dealer' means any undertaking which acts in the role of principal to purchase and subsequently sell waste, including such dealers who do not take physical possession of the waste;	Draft Law	4 (63)	63. 'dealer' means any person which acts in the role of principal to purchase and subsequently sell waste, including any person who do not take physical possession of the waste;	Full	The definition in Article 4 (63) of the draft law is fully aligned with Article 3(7) of Directive 2008/98/EC.
3 (8)	8. 'broker' means any undertaking arranging the recovery or disposal of waste on behalf of others, including such brokers who do not take physical possession of the waste;	Draft Law	4 (2)	2. 'broker' within the meaning of this law is any person arranging the recovery or disposal of waste on behalf of others. This term also includes brokers who do not possess the waste;	Full	The definition in Article 4(2) of the draft law is fully aligned with Article 3(8) of Directive 2008/98/EC.
3 (9)	9. 'waste management' means the collection, transport, recovery (including sorting), and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker.	Draft Law	4 (37)	37. 'Integrated waste management' means the collection, transport, recovery, including sorting, and disposal supervision of these operations and the after-care of disposal sites, as well as actions taken as a dealer or broker.	Full	The definition in Article 4 (37) of the draft law is fully aligned with Article 3(9) of Directive 2008/98/EC. The addition of the term 'integrated' in the Albanian provision does not result in any substantial change compared to the provision of the directive.
3 (10)	10. 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility.	Draft Law	4 (10)	10. 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purpose of transport to a waste treatment facility.	Full	The definition in Article 4(10) of the draft law is fully aligned with Article 3 (10) of Directive 2008/98/EC.
3 (11)	11. 'separate collection' means the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment.	Draft Law	4 (11)	11. 'separate collection' means the collection where a waste stream is gathered and kept separately according to type and nature so as to facilitate a specific treatment.	Full	The definition in Article 4(11) of the draft law is fully aligned with Article 3(11) of Directive 2008/98/EC.
3 (12)	12. 'prevention' means measures taken before a substance, material or product has become waste, that reduce: a) the quantity of waste, including through the re-use of products or the extension of the life span of products;;	Draft Law	4 (43)	43. 'prevention' means measures taken before a substance, material or product becomes waste, with the aim of reducing;	Full	The definition in Article 4(43) of the draft law is fully aligned with Article 3(12) of Directive 2008/98/EC.

	b) the adverse impacts of the generated waste on the environment and human health; or c) the content of hazardous substances in materials and products.			a) the quantity of waste, including measures for the re-use of products or the extension of their lifespan; b) the adverse impacts of waste on the environment or human health c) the content of hazardous substances in materials and products.		
3 (13)	13. 're-use' means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived.	Draft Law	4 (55)	55. 're-use' means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived.	Full	The definition in Article 4(55) of the draft law is fully aligned with Article 3(13) of Directive 2008/98/EC.
3 (14)	14. 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal.	Draft Law	4 (61)	61. 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal.	Full	The definition in Article 4(61) of the draft law is fully aligned with Article 3(14) of Directive 2008/98/EC.
3 (15)	15. 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. Annex II sets out a non-exhaustive list of recovery operations;	Draft Law	4 (50)	50. 'recovery' means any operation the principal result of which: a) waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, b) waste being prepared to fulfill a specific function, in a plant or in the wider economy. Recovery operations are included, but not limited to, in Annex II attached to the law and are an integral part of it.	Full	The definition in Article 4(50) of the draft law is fully aligned with Article 3(15) of Directive 2008/98/EC.
3 (15a.)	15a. 'material recovery' means any recovery operation, other than energy recovery and the reprocessing into materials that are to be used as fuels or other means to generate energy. It includes, inter alia, preparing for re-use, recycling and backfilling.	Draft Law	4 (51)	51. 'material recovery' means any recovery operation, other than energy recovery and the reprocessing of waste into materials that are to be used as fuels or other means to generate energy. It includes, inter alia, preparing for re-use, recycling and backfilling.	Full	The definition in Article 4 (51) of the draft law is fully aligned with Article 3(15a) of Directive 2008/98/EC.
3 (16)	16. 'preparing for re-use' means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing.	Draft Law	4 (42)	42. 'preparing for re-use' means recovery operations, specifically checking, cleaning or repairing, by which products or components of products that have become waste are	Full	The definition in Article 4(42) of the draft law is fully aligned with Article 3(16) of Directive 2008/98/EC.



				prepared so that they can be re-used without any other pre-processing.		
3 (17)	17. 'recycling' means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations	Draft Law	4 (52)	52. 'recycling' means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. Recycling includes the reprocessing of organic materials but does not include energy recovery and the reprocessing of waste into materials that are to be used as fuels or for backfilling operations	Full	The definition in Article 4 (52) of the draft law is fully aligned with Article 3(17) of Directive 2008/98/EC.
3 (17a.)	17a. 'Backfilling' means any recovery operation where suitable nonhazardous waste is used for purposes of reclamation in excavated areas or for engineering purposes in landscaping. Waste used for backfilling must substitute non-waste materials, be suitable for the aforementioned purposes, and be limited to the amount strictly necessary to achieve those purposes;	Draft Law	4 (53)	53 'Backfilling' means any recovery operation where suitable non-hazardous waste is used for purposes of reclamation in excavated areas or for engineering purposes in landscaping. Waste used for backfilling must substitute non-waste materials, be suitable for the aforementioned purposes, and be limited to the quantity necessary to achieve those purposes;	Full	The definition in Article 4 (53) of the draft law is fully aligned with Article 3(17a) of Directive 2008/98/EC.
3 (18)	18. 'regeneration of waste oils' means any recycling operation whereby base oils can be produced by refining waste oils, in particular by removing the contaminants, the oxidation products and the additives contained in such oils	Draft Law	4 (54)	54. 'regeneration of waste oils' means any recycling operation whereby base oils can be produced from the refining of waste oils, in particular by removing the contaminants, the oxidation products and the additives contained in these oils	Full	The definition in Article 4(54) of the draft law is fully aligned with Article 3(18) of Directive 2008/98/EC
3 (19)	19. 'disposal' means any operation which is not recovery even where the operation has as a secondary consequence the reclamation of substances or energy. Annex I sets out a non-exhaustive list of disposal operations.	Draft Law	4 (4)	4. 'disposal' means any operation which is not recovery even where the operation has as a secondary consequence the reclamation of substances or energy. Annex I contains a non-exhaustive list of operations considered as disposal operations.	Full	The definition in Article 4(4) of the draft law is fully aligned with Article 3(19) of Directive 2008/98/EC.
3 (20)	20. 'best available techniques' means best available techniques as defined in Article 2(11) of Directive 96/61/EC.	Draft Law	4 (62)	1.1. Draft Law 62. "Best available techniques" has the same meaning as defined in Law No. 10448, dated 14.07.2011, "On Environmental Permits," amended	Full	The definition in Article 4(62) of the draft law is fully aligned with Article 3(20) of Directive 2008/98/EC, because the definition of BAT in the Environmental Permits Law — to which the draft law refers — is fully compliant with Article 2(11) of Directive 96/61/EC and, as a result, also fully aligned with Article 3(20) of Directive 2008/98/EC

3 (21)	21. ‘extended producer responsibility scheme’ means a set of measures taken by Member States to ensure that producers of products bear financial responsibility or financial and organisational responsibility for the management of the waste stage of a product’s life cycle.	Draft Law	4 (60)	60. “Extended Producer Responsibility Scheme” is the set of measures that ensure producers of products bear the financial responsibility or both financial and organizational responsibility for managing that phase of the product’s life cycle referred to as waste.	Full	The definition in Article 4(60) of the draft law is fully aligned with Article 3(21) of Directive 2008/98/EC.
Article 4 <b>Hierarchy of Waste</b> (1)	1. The following waste hierarchy shall apply as a priority order in waste prevention and management legislation and policy:  (a) Prevention; (b) Preparation for reuse; (c) Recycling; (d) Other recovery, e.g., energy recovery; and (e) Disposal.	Draft Law	6 (1), 12, 73	<p>Article 6 <b>Hierarchy of Waste</b></p> <p>1. The legislation, policies, strategies, plans, programs, and measures undertaken for integrated waste management in the Republic of Albania, as well as the relevant permits and licenses and daily waste management activities, apply the waste hierarchy according to the following order:</p> <p>a) Waste prevention; b) Preparation of waste for reuse; c) Recycling of waste; ç) Other waste recovery; d) Waste disposal.</p> <p>Article 12 <b>Preparation for Reuse and Recycling of Waste</b></p> <p>Measures to promote the preparation for reuse of waste shall be determined in the national strategy, sectoral, regional or local plan for integrated waste management, in accordance with the provisions of Chapter V of this Law and shall include:</p> <p>a) measures to establish and support reuse and repair networks; b) measures to facilitate reuse and repair networks' access to waste prepared for reuse, collected by natural or legal persons carrying out waste collection activities; c) measures to promote the use of economic instruments;</p>	Partial	<p>Article 6(1) of the Draft Law on Integrated Waste Management provides for the same waste management hierarchy as Article 4(1) of Directive 2008/98/EC on waste. However, the other provisions of the draft law on integrated waste management do not reinforce the activities that are at the top of the waste hierarchy. For example, the provisions of the draft law concerning waste prevention do not include the main waste prevention measures (see the analysis of Article 9 of the Directive below).</p> <p>Additionally, Article 11 of the draft law changes the policy on separate waste collection by removing the existing legal obligation for separate collection of paper, metal, plastic, and glass, and postponing it to an unspecified date to be approved by a Decision of the Council of Ministers (DCM). This change may further delay the initiation of separate waste collection in the territory of Albania and weakens the processes of reuse, recycling, and recovery of waste, which occupy positions 2, 3, and 4 in the waste hierarchy.</p> <p>Therefore, the provisions of the draft law on integrated waste management, together with the waste management practices in Albania that are mainly focused on landfilling and incineration—i.e., waste disposal—</p>

				<p>ç) specific criteria in public procurement procedures;</p> <p>d) the achievement of quantitative objectives;</p> <p>dh) measures to encourage the implementation of extended producer responsibility;</p> <p>e) other appropriate measures to achieve this goal;</p> <p>To promote high-quality recycling, waste is collected in a differentiated manner. The Council of Ministers, upon the proposal of the Minister and after consultation with local government units, approves the criteria, procedures and deadlines for the implementation of differentiated waste collection for all waste streams.</p>		are currently not fully aligned with the waste hierarchy set out in Article 4(1) of Directive 2008/98/EC on waste.
4 (2)	2. When applying the waste hierarchy referred to in paragraph 1, Member States shall take measures to encourage the options that deliver the best overall environmental outcome. This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste.	<i>Draft Law</i>	6 (2)	<p>2. The Council of Ministers, upon proposal of the Minister, shall adopt rules for the implementation of the waste hierarchy that provide the best results for the environment. These rules shall also provide for exceptions that allow for the waste hierarchy not to be applied to specific waste streams. The exception shall be permitted only if justified by an analysis of the full life cycle of the waste and the overall impact of the waste from its generation to its management.</p> <p>3. For the implementation of the waste hierarchy, responsible institutions and natural and legal persons engaged in integrated waste management shall use the economic instruments and other incentive measures of Annex 6 to this law.</p>	Partial	The principles contained in Article 4(2) of Directive 2008/98/EC on waste are also included in the provisions of the draft law. However, their implementation can only be assessed after the adoption of specific secondary legislation. This assessment will also be influenced by the issues raised above concerning the waste hierarchy.
4 (2) Paragraph 2	Member States shall ensure that the development of waste legislation and policy is a fully transparent process, observing existing national rules about the consultation and involvement of citizens and stakeholders.	-	-	-	Full	The draft law on integrated waste management does not include this provision, as it is fully covered by two existing laws: Law No. 10431, dated 9.6.2011, "On Environmental Protection," amended, and Law No.

						146/2014 "On Public Notification and Consultation."
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<p>4 (2) Paragraph 3</p>	<p>Member States shall take into account the general environmental protection principles of precaution and sustainability, technical feasibility and economic viability, protection of resources as well as the overall environmental, human health, economic and social impacts, in accordance with Articles 1 and 13..</p>	<p><i>Draft Law</i></p>	<p>1, 2, 5</p>	<p><i>Article 1</i></p> <p><b>Objective</b></p> <p>The purpose of this law is to establish an integrated waste management system to ensure the protection of the environment and human health, as well as to ensure the efficient use of resources, creating the necessary conditions for the transition to a circular economy model.</p> <p><i>Article 2</i></p> <p><b>Subject and Scope of Action</b></p> <p>The object of this law is to define the rules for the operation of the integrated waste management system and the implementation of the waste hierarchy measures to achieve the following objectives:</p> <ul style="list-style-type: none"> <li>a) prevention or reduction of waste;</li> <li>b) prevention or reduction of negative impacts from the creation and management of waste;</li> <li>c) reduction of the impact of resource use and improvement of the efficiency of their use.</li> </ul> <p>The provisions of this law cover all activities of integrated waste management within the territory of the Republic of Albania and apply to all natural and legal persons who have rights and obligations in accordance with the provisions of this law.</p> <p><i>Article 5</i></p> <p><b>General Principles</b></p>	<p>Full</p>	<p>The principle of sustainable development, prevention, and all other principles outlined in Article 4 (2), paragraph 3 of Directive 2008/98/EC on waste, are extensively reflected in the draft law on integrated waste management and the framework law on environmental protection.</p>
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			<p>1. Integrated waste management within the territory of the Republic of Albania is a matter of public interest.</p> <p>2. Integrated waste management is carried out in accordance with:</p> <p>a) the principles of protecting, preserving, and improving environmental quality and protecting human health, as per Albanian environmental protection legislation in force;</p> <p>b) the principles of the circular economy, which considers waste as a resource;</p> <p>c) the principles of equality and non-discrimination, including gender equality, as well as the overall economic and social impact;</p> <p>ç) the "polluter pays" principle as stipulated in environmental protection legislation;</p> <p>d) the waste hierarchy.</p> <p>3. Integrated waste management is carried out according to the criteria of efficiency, effectiveness, economic benefit, transparency, and technical and economic feasibility, to ensure a sustainable and proportional system. The integrated waste management system is also based on the cooperation of stakeholders involved in the production, distribution, use, and consumption of products from which waste is generated.</p> <p>4. Competent authorities and responsible entities take the necessary measures to ensure that waste is managed without endangering human health or damaging the environment. The measures taken must ensure that water, air, land (including agricultural land), plants, or animals are not endangered; that nuisances such as noise or unpleasant odors are not caused; and</p>		
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				that rural areas or areas with special protection are not negatively affected.		
4 (3)	3. Member States shall make use of economic instruments and other measures to provide incentives for the application of the waste hierarchy, such as those indicated in Annex IVa or other appropriate instruments and measures.	Draft Law	28	<p><i>Article 28</i></p> <p><b>Economic Instruments and Other Incentive Measures for the Waste Hierarchy</b></p> <p>The policies and legal framework for the implementation of the waste hierarchy at central and local level includes the economic instruments and incentive measures provided for in Annex 6 to this law, as well as other instruments and measures considered necessary as appropriate.</p>	Partial	The Directive contains a list of economic instruments and other incentive measures for the implementation of the waste hierarchy, which should be used by the member states. However, this does not mean that each member state is required to use all the instruments and measures described. It is sufficient for member states to implement some of the measures and instruments that enable them to apply the waste hierarchy. In line with the Directive, the draft law on integrated waste management includes a number of economic instruments and incentive measures in Annex 6 that can be used to implement the waste hierarchy. The instruments and measures in the draft law align with several of the instruments and measures listed in Annex IVa of Directive 2008/98/EC on waste. However, the alignment is partial because the instruments and measures mentioned in Annex 6 of the draft law are political commitments that must be implemented through specific legal and sub-legal acts. A detailed assessment of each instrument and measure is provided below in the analysis of Annex 6.
<p><i>Article 5</i></p> <p><b>By-products</b></p> <p>(1)</p>	<p>1. Member States shall take appropriate measures to ensure that a substance or object resulting from a production process the primary aim of which is not the production of that substance or object is considered not to be waste, but to be a by-product if the following conditions are:</p> <p><b>▼B</b></p> <p>(a) further use of the substance or object is certain;</p>	Draft Law	7 (1)	<p><i>Article 7</i></p> <p><b>By-products</b></p> <p>1. For the purposes of this law, a substance or object obtained during a production process, the primary aim of which is not the production of this substance or object, may be considered not to be waste but a by-product, only if it meets all of the following conditions:</p>	Full	<p>Provision 7(1) of the Waste Management Draft Law is fully in compliance with Provision 5(1) of Directive 2008/98/EC on waste.</p> <p>For clarification, the conditions set out in Provision 5(1), letters a – d, of the Directive are cumulative. This arises not only from the logical interpretation of the conditions, which are closely related to each</p>

	<p>(b) the substance or object can be used directly without any further processing other than normal industrial practice;</p> <p>(c) the substance or object is produced as an integral part of a production process; and</p> <p>(d) further use is lawful, i.e. the substance or object fulfils all relevant product, environmental and health protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts.</p>			<p>a) it is certain that the substance or object will have further use;</p> <p>b) the substance or object can be used directly without undergoing any further treatment, except for those prescribed by normal industrial practice;</p> <p>c) the substance or object is produced as an integral part of the production process;</p> <p>d) the further use of this substance or object is lawful, in the sense that the substance or object meets all product standards and requirements for environmental and health protection from use, and does not have an overall negative impact on the environment or human health.</p>		<p>other, but is also explained in the Commission's Guidance on the interpretation of the key provisions of Directive 2008/98/EC on waste ("<i>Guidance on the interpretation of key provisions of Directive 2008/98/EC on waste</i>"), pages 14-22. Although this guidance is not binding, it is an instrument from the Commission that assists in the interpretation of the provisions of the Directive.</p>
5 (2)	<p>2. The Commission may adopt implementing acts in order to establish detailed criteria on the uniform application of the conditions laid down in paragraph 1 to specific substances or objects.</p> <p>Those detailed criteria shall ensure a high level of protection of the environment and human health and facilitate the prudent and rational utilisation of natural resources.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2). When adopting those implementing acts, the Commission shall take as a starting point the most stringent and environmentally protective of any criteria adopted by Member States in accordance with paragraph 3 of this Article and shall prioritise replicable practices of industrial symbiosis in the development of the detailed criteria</p>	N/A	N/A	N/A	N/A	N/A
5 (3)	<p>3. Where criteria have not been set at Union level under paragraph 2, Member States may establish detailed criteria on the application of the conditions laid down in paragraph 1 to specific substances or objects.</p>	Draft Law	7 (2)	<p>2. The Council of Ministers, upon the proposal of the Minister, shall determine the criteria and procedures that must be met for the classification of substances and objects as by-products and not as waste according to point 1 of this article.</p>	Full	<p>Currently, there are no implementing acts from the Commission that define detailed criteria for by-products. In accordance with the provisions of Article 5 (2) (3) of Directive 2008/98/EC on waste, the provision of the draft law stipulates that specific criteria and procedures for the implementation of the provision on by-products will be approved through a Decision of Council of Ministers (DCM). In the drafting</p>



						phase of these DCMs, all EU acts should be taken into account, including the Commission's guidelines on by-products.
5 (3) paragraph 2	Member States shall notify the Commission of those detailed criteria in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council (1) where so required by that Directive.	N/A	N/A	N/A	N/A	N/A
Article 6 <b>End-of-waste status</b> (1)	1. Member States shall take appropriate measures to ensure that waste which has undergone a recycling or other recovery operation is considered to have ceased to be waste if it complies with the following conditions: (a) the substance or object is to be used for specific purposes; (b) a market or demand exists for such a substance or object; (c) the substance or object fulfils the technical requirements for the specific purposes and meets the existing legislation and standards applicable to products; and (d) the use of the substance or object will not lead to overall adverse environmental or human health impacts.	Draft Law	8 (1)	Article 8 <b>End-of-Waste Status</b> 1. For the purposes of this law, waste that has undergone a recycling operation or other recovery operations ceases to be considered waste only if it meets all of the following conditions: a) The substance or object will be used for a specific purpose; b) There is a market or demand for that substance or object; c) The substance or object meets the technical requirements for the specific use and complies with existing legislation and the standards applicable to these products; ç) The use of the substance or object meets all relevant requirements for environmental and health protection and does not result in any general negative impact on the environment or human health.	Full	Article 8(1) of the draft law is in full compliance with Article 6(1) of Directive 2008/98/EC on waste. In this case, the conditions are cumulative, which is also specified in the Commission's Guidance on the interpretation of Directive 2008/98/EC on waste, pages 22-27.
6 (2)	2. The Commission shall monitor the development of national end-of-waste criteria in Member States, and assess the need to develop Union-wide criteria on this basis. To that end, and where appropriate, the Commission shall adopt implementing acts in order to establish detailed criteria on the uniform application of the conditions laid down in paragraph 1 to certain types of waste. Those detailed criteria shall ensure a high level of protection of the environment and human health and facilitate the prudent and rational utilisation of natural resources. They shall include: (a) permissible waste input material for the recovery operation; (b) allowed treatment processes and techniques;	N/A	N/A	N/A	N/A	N/A

	<p>(c) quality criteria for end-of-waste materials resulting from the recovery operation in line with the applicable product standards, including limit values for pollutants where necessary;</p> <p>(d) requirements for management systems to demonstrate compliance with the end-of-waste criteria, including for quality control and self-monitoring, and accreditation, where appropriate; and</p> <p>(e) a requirement for a statement of conformity.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2).</p> <p>When adopting those implementing acts, the Commission shall take account of the relevant criteria established by Member States in accordance with paragraph 3 and shall take as a starting point the most stringent and environmentally protective of those criteria.</p>					
6 (3)	<p>3. Where criteria have not been set at Union level under paragraph 2, Member States may establish detailed criteria on the application of the conditions laid down in paragraph 1 to certain types of waste.</p> <p>Those detailed criteria shall take into account any possible adverse environmental and human health impacts of the substance or object and shall satisfy the requirements laid down in points (a) to (e) of paragraph 2.</p>	Draft Law	8 (2)	<p>The Council of Ministers, on the proposal of the Minister, shall adopt specific criteria and procedures for the end-of-waste recognition of each type of waste. These criteria shall ensure the protection of the environment and human health, facilitate the prudent and rational use of natural resources and shall include at least:</p> <p>a) the requirement that permitted waste materials be used in recovery operations;</p> <p>b) the requirement that permitted treatment processes and techniques be used;</p> <p>c) quality criteria according to standards for the relevant products, which are met by materials that have ceased to be waste after recovery operations and, where necessary, limit values for pollutants;</p> <p>ç) the requirement that management systems have the ability to demonstrate that the end-of-waste criteria are applied, and that they include quality control, self-monitoring and, where necessary, accreditation;</p> <p>d) the requirement for a declaration of conformity.</p>	Partial	<p>Article 8 (3) of the draft law provides that there will be specific criteria and procedures that will determine for each type of waste the end of waste status in accordance with the principles set out in paragraph 2 of Article 6 of Directive 2008/98/EC on waste.</p>

6 (3) Paragraph 2	Member States shall notify the Commission of those criteria in accordance with Directive (EU) 2015/1535 where so required by that Directive	N/A	N/A	N/A	N/A	N/A
6 (4)	4. Where criteria have not been set at either Union or national level under paragraph 2 or 3, respectively, a Member State may decide on a case-by-case basis, or take appropriate measures to verify, that certain waste has ceased to be waste on the basis of the conditions laid down in paragraph 1 and, where necessary, reflecting the requirements laid down in points (a) to (e) of paragraph 2, and taking into account limit values for pollutants and any possible adverse environmental and human health impacts. Such case-by-case decisions are not required to be notified to the Commission in accordance with Directive (EU) 2015/1535. Member States may make information about case-by-case decisions and about the results of verification by competent authorities publicly available by electronic means.	N/A	N/A	N/A	N/A	Article 6 (4) of Directive 2008/98/EC on waste is not applicable because Albania has chosen the option of adopting criteria at the national level, through the sub-legal acts provided in Article 8(3) above of the draft law. As a result, case-by-case verification is not applied.
6 (5)	5. The natural or legal person who: (a) uses, for the first time, a material that has ceased to be waste and that has not been placed on the market; or (b) places a material on the market for the first time after it has ceased to be waste, shall ensure that the material meets relevant requirements under the applicable chemical and product related legislation. The conditions laid down in paragraph 1 have to be met before the legislation on chemicals and products applies to the material that has ceased to be waste.	Draft law	8 (2)	2. Any natural or legal person who uses, for the first time, a material that has ceased to be waste and has not been placed on the market, or who places on the market for the first time a material that has ceased to be waste, shall ensure that the material meets the following conditions and criteria: a) the conditions provided for in point 1 of this Article; b) the criteria of the specific legislation on chemicals; c) the criteria of the specific legislation for the product concerned	Full	Article 8(2) of the draft law is fully aligned with the provisions of Article 6(5) of Directive 2008/98/EC on waste, regarding the safety conditions that waste must meet in order to cease being considered waste.
Article 7 List of waste (1)	1. The Commission is empowered to adopt delegated acts in accordance with Article 38a in order to supplement this Directive by establishing, and reviewing in accordance with paragraphs 2 and 3 of this Article, a list of waste	N/A	N/A	N/A	N/A	N/A
7 (1) Paragraph 2	◀ The list of waste shall include hazardous waste and shall take into account the origin and composition of the waste and, where necessary, the limit values of concentration of hazardous substances. The list of waste shall be binding as regards determination of the waste which is to be considered as hazardous waste. The inclusion of a substance or object in the list shall not mean that it is waste in all circumstances. A substance or object shall be	Draft Law	9	Article 9 <b>Classification and Catalogue of Waste</b>  1. Within the framework of this law, waste is classified on the basis of the origin of creation, into household waste and waste from other activities, and on the basis of the characteristics of the	Partial	Article 7(1) of Directive 2008/98/EC on waste aims to regulate the classification of waste within the EU and provides guidance on the methodology for waste classification. The Albanian draft law on integrated waste management follows the same classification approach as the Directive, with regard to the origin of

	considered to be waste only where the definition in point (1) of Article 3 is met.		<p>hazard, into hazardous waste and non-hazardous waste.</p> <p>The classification according to point 1 of this article is made from the waste catalogue containing the list of waste, according to their origin and composition and, when necessary, also according to the limit values of the concentration of hazardous substances. The waste catalogue is approved by the Council of Ministers, upon the proposal of the Minister.</p> <p>The waste catalogue includes hazardous waste that is classified as such in accordance with the properties of the waste specified in Annex 3 to this law. The classification of a waste in the waste catalogue as hazardous waste is mandatory</p> <p>The dilution or mixing of hazardous waste with other waste is prohibited, in order to reduce the initial concentrations of hazardous substances to a level lower than the limit value that defines the waste as hazardous, in order to reclassify them as non-hazardous waste.</p> <p>Regardless of whether a substance or object is found in the waste catalogue, it is considered as such only in cases where it meets the provisions of point 17 of Article 4 of this law.</p> <p>The Ministry, at least every 2 years, analyzes whether it is necessary to review the waste catalogue, especially in cases where it identifies a new hazardous waste or when it establishes that a waste classified as hazardous does not display the properties listed in Annex 3. In these cases and in other cases where necessary, the Minister proposes to the Council of Ministers the review of the waste catalogue, in order to update and adapt it.</p>	<p>waste and the hazardous components of waste. Just like the Directive, the draft law also stipulates that the classification of a waste as hazardous in the waste catalogue is mandatory. Albanian legislation likewise emphasizes the principle that a substance or object is considered waste only if it meets the criteria defined in the relevant definition. The hazardous nature of waste, under Albanian legislation, is determined based on Annex 3 of the draft law. As a result, the Albanian waste classification system closely follows the EU system.</p>
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				The waste catalog and any revision thereof is published on the official website of the Ministry.		
7 (2)	2. A Member State may consider waste as hazardous waste where, even though it does not appear as such on the list of waste, it displays one or more of the properties listed in Annex III. The Member State shall notify the Commission of any such cases without delay and provide the Commission with all relevant information. In the light of notifications received, the list shall be reviewed in order to decide on its adaptation.	<i>Draft Law</i>	4 (25) 9 (1), (2), (3), (6)	<p><b>Article 4</b> <b>Definitions</b></p> <p>25. "Hazardous waste" means waste that exhibits one or more of the hazardous properties listed in Annex 3, attached to this law.</p> <p><b>Article 9</b> <b>Classification and Catalogue of Waste</b></p> <p>1. Within the framework of this law, waste is classified on the basis of the origin of creation, into household waste and waste from other activities, and on the basis of the characteristics of the hazard, into hazardous waste and non-hazardous waste.</p> <p>2. The classification according to point 1 of this article is made from the waste catalogue containing the list of waste, according to their origin and composition and, when necessary, also according to the limit values of the concentration of hazardous substances. The waste catalogue is approved by the Council of Ministers, upon the proposal of the Minister.</p> <p>3. The waste catalogue includes hazardous waste that is classified as such in accordance with the properties of the waste specified in Annex 3 to this law. The classification of a waste in the waste catalogue as hazardous waste is mandatory</p> <p>6. The Ministry shall, at least every 2 years, analyse whether a revision of the waste catalogue is necessary, in particular in cases where it identifies a new hazardous waste or when it establishes that a waste classified as</p>	Partial	The definition of 'hazardous waste' in the draft law is based on the properties of the waste rather than on whether it is included in the waste catalogue. Thus, any waste that exhibits the hazardous properties listed in Annex 3 of this law—which is partially aligned with Annex III of the Directive—is considered hazardous waste. Therefore, a waste can be classified as hazardous even if it is not listed in the catalogue, provided it possesses the hazardous properties specified in Annex 3 of the law. In such cases, the waste catalogue must be updated in accordance with Article 9 of the draft law. As a result, the Albanian waste classification system closely follows the EU system.

				hazardous does not display the properties listed in Annex 3. In these cases and in other cases where necessary, the Minister shall propose to the Council of Ministers the revision of the waste catalogue, with a view to its updating and adaptation.		
7 (3)	3. Where a Member State has evidence to show that specific waste that appears on the list as hazardous waste does not display any of the properties listed in Annex III, it may consider that waste as nonhazardous waste. The Member State shall notify the Commission of any such cases without delay and shall provide the Commission with the necessary evidence. In the light of notifications received, the list shall be reviewed in order to decide on its adaptation.	<i>Draft Law</i>	9 (6)	6. The Ministry, at least every 2 years, shall analyze whether it is necessary to review the waste catalogue, especially in cases where it identifies a new hazardous waste or when it establishes that a waste classified as hazardous does not display the properties listed in Annex 3. In these cases and in other cases where necessary, the Minister shall propose to the Council of Ministers the review of the waste catalogue, with a view to updating and adapting it.	Full	In this case as well, the Albanian system aligns with the EU system, as it provides the possibility for the waste catalogue to be updated by removing from the catalogue waste that is classified as hazardous when it no longer exhibits the properties defined in Annex 3 of the law.
7 (4)	4. The reclassification of hazardous waste as non-hazardous waste may not be achieved by diluting or mixing the waste with the aim of lowering the initial concentrations of hazardous substances to a level below the thresholds for defining waste as hazardous.	<i>Draft Law</i>	9 (4)	4. The dilution or mixing of hazardous waste with other waste is prohibited, with the aim of reducing the initial concentrations of hazardous substances to a level lower than the limit value that defines the waste as hazardous, with the aim of reclassifying it as non-hazardous waste.	Full	Article 9(4) of the draft law provides the same prohibition as defined in Article 7(4) of Directive 2008/98/EC on waste.
7 (6)	6. Member States may consider waste as non-hazardous waste in accordance with the list of waste referred to in paragraph 1.	N/A	N/A	N/A	N/A	N/A
7 (7)	7. The Commission shall ensure that the list of waste and any review of this list adhere, as appropriate, to principles of clarity, comprehensibility and accessibility for users, particularly small and medium-sized enterprises (SMEs).	N/A	N/A	N/A	N/A	N/A
<i>Article 8 Extended producer responsibility (1)</i>	1. In order to strengthen the re-use and the prevention, recycling and other recovery of waste, Member States may take legislative or nonlegislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility.	<i>Draft Law</i>	17	<b>Article 17 Extended Responsibility of Producer Entities</b>  A production entity that develops, produces, processes, treats, sells or imports on a professional basis products that generate waste after use is included	Partial	The draft law on integrated waste management only describes the mechanism of extended producer responsibility as outlined in Directive 2008/98/EC on waste, but the specific provisions and regulations are contained in the draft law on extended producer responsibility.

	<p>Such measures may include an acceptance of returned products and of the waste that remains after those products have been used, as well as the subsequent management of the waste and financial responsibility for such activities. These measures may include the obligation to provide publicly available information as to the extent to which the product is re-usable and recyclable.</p> <p>Where such measures include the establishment of extended producer responsibility schemes, the general minimum requirements laid down in Article 8a shall apply. Member States may decide that producers of products that undertake financial or financial and organisational responsibilities for the management of the waste stage of a product's life cycle of their own accord should apply some or all of the general minimum requirements laid down in Article 8a</p>			<p>in the scheme of extended liability of production entities.</p> <p>The extended liability of production entities is regulated by a special law.</p>		<p>which is the special law. However, in the text of Article 17 of this draft law, a discrepancy is noted between the term 'product producer' used in Directive 2008/98/EC on waste and the term 'producing entity' used in the draft law. This results in a terminological mismatch with the waste framework directive. A detailed assessment of the alignment of the extended producer responsibility provisions of Directive 2008/98/EC on waste has been carried out within the context of the draft law on extended producer responsibility, and the level of alignment has been found to be partial.</p>
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8 (2)	<p>2. Member States may take appropriate measures to encourage the design of products and components of products in order to reduce their environmental impact and the generation of waste in the course of the production and subsequent use of products, and in order to ensure that the recovery and disposal of products that have become waste take place in accordance with Articles 4 and 13.</p> <p>Such measures may encourage, inter alia, the development, production and marketing of products and components of products that are suitable for multiple use, that contain recycled materials, that are technically durable and easily repairable and that are, after having become waste, suitable for preparing for re-use and recycling in order to facilitate proper implementation of the waste hierarchy. The measures shall take into account the impact of products throughout their life cycle, the waste hierarchy and, where appropriate, the potential for multiple recycling.</p>	N/A	N/A	N/A	N/A	N/A
8 (3)	3. When applying extended producer responsibility, Member States shall take into account the technical feasibility and economic viability and the overall environmental, human health and social impacts, respecting the need to ensure the proper functioning of the internal market.	N/A	N/A	N/A	N/A	N/A
8 (4)	4. The extended producer responsibility shall be applied without prejudice to the responsibility for waste management as provided for in Article 15(1) and without prejudice to existing waste stream specific and product specific legislation.	N/A	N/A	N/A	N/A	N/A
8 (5)	5. The Commission shall organise an exchange of information between Member States and the actors involved in extended producer responsibility schemes on	N/A	N/A	N/A	N/A	N/A



	<p>the practical implementation of the general minimum requirements laid down in Article 8a. This includes, inter alia, exchange of information on best practices to ensure adequate governance, cross-border cooperation concerning extended producer responsibility schemes and a smooth functioning of the internal market, on the organisational features and the monitoring of organisations implementing extended producer responsibility obligations on behalf of producers of products, on the modulation of financial contributions, on the selection of waste management operators and on the prevention of littering. The Commission shall publish the results of the exchange of information and may provide guidelines on these and other relevant aspects.</p> <p>The Commission shall publish guidelines, in consultation with Member States, on cross-border cooperation concerning extended producer responsibility schemes and on the modulation of financial contributions referred to in point (b) of Article 8a(4).</p> <p>Where necessary to avoid distortion of the internal market, the Commission may adopt implementing acts in order to lay down criteria with a view to the uniform application of point (b) of Article 8a(4), but excluding any precise determination of the level of the contributions. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2)</p>					
<p><i>Article 8a</i> <b>General minimum requirements for extended producer responsibility schemes</b>  (1)</p>	<p>1. Where extended producer responsibility schemes are established in accordance with Article 8(1), including pursuant to other legislative acts of the Union, Member States shall:</p> <p>(a) define in a clear way the roles and responsibilities of all relevant actors involved, including producers of products placing products on the market of the Member State, organisations implementing extended producer responsibility obligations on their behalf, private or public waste operators, local authorities and, where appropriate, re-use and preparing for re-use operators and social economy enterprises;</p> <p>(b) in line with the waste hierarchy, set waste management targets, aiming to attain at least the quantitative targets relevant for the extended producer responsibility scheme as laid down in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU of the European Parliament and of the Council (1), and set other quantitative targets and/or qualitative</p>	N/A	N/A	N/A	N/A	<p>The draft law on extended producer responsibility is in the process of adoption. The assessment of the alignment of the extended producer responsibility provisions of Directive 2008/98/EC on waste has been carried out within the framework of the draft law on extended producer responsibility.</p>

	<p>objectives that are considered relevant for the extended producer responsibility scheme;</p> <p>(c) ensure that a reporting system is in place to gather data on the products placed on the market of the Member State by the producers of products subject to extended producer responsibility and data on the collection and treatment of waste resulting from those products specifying, where appropriate, the waste material flows, as well as other data relevant for the purposes of point (b);</p> <p>(d) ensure equal treatment of producers of products regardless of their origin or size, without placing a disproportionate regulatory burden on producers, including small and medium-sized enterprises, of small quantities of products.</p>					
8a (2)	<p>2. Member States shall take the necessary measures to ensure that the waste holders targeted by the extended producer responsibility schemes established in accordance with Article 8(1), are informed about waste prevention measures, centres for re-use and preparing for re-use, take-back and collection systems, and the prevention of littering. Member States shall also take measures to create incentives for the waste holders to assume their responsibility to deliver their waste into the separate collection systems in place, notably, where appropriate, through economic incentives or regulations.</p>	N/A	N/A	N/A	N/A	N/A
8a (3)	<p>3. Member States shall take the necessary measures to ensure that any producer of products or organisation implementing extended producer responsibility obligations on behalf of producers of products:</p> <p>(a) has a clearly defined geographical, product and material coverage without limiting those areas to those where the collection and management of waste are the most profitable;</p> <p>(b) provides an appropriate availability of waste collection systems within the areas referred to in point (a);</p> <p>(c) has the necessary financial means or financial and organisational means to meet its extended producer responsibility obligations;</p> <p>(d) puts in place an adequate self-control mechanism, supported, where relevant, by regular independent audits, to appraise:</p> <p>(i) its financial management, including compliance with the requirements laid down in points (a) and (b) of paragraph 4;</p>	N/A	N/A	N/A	N/A	N/A

	<p>(ii) the quality of data collected and reported in accordance with point (c) of paragraph 1 of this Article and with the requirements of Regulation (EC) No 1013/2006;</p> <p>(e) makes publicly available information about the attainment of the waste management targets referred to in point (b) of paragraph 1, and, in the case of collective fulfilment of extended producer responsibility obligations, also information about:</p> <p>(i) its ownership and membership;</p> <p>(ii) the financial contributions paid by producers of products per unit sold or per tonne of product placed on the market; and</p> <p>(iii) the selection procedure for waste management operators.</p>					
8a (4)	<p>4. Member States shall take the necessary measures to ensure that the financial contributions paid by the producer of the product to comply with its extended producer responsibility obligations:</p> <p>(a) cover the following costs for the products that the producer puts on the market in the Member State concerned:</p> <p>— costs of separate collection of waste and its subsequent transport and treatment, including treatment necessary to meet the Union waste management targets, and costs necessary to meet other targets and objectives as referred to in point (b) of paragraph 1, taking into account the revenues from re-use, from sales of secondary raw material from its products and from unclaimed deposit fees,</p> <p>— costs of providing adequate information to waste holders in accordance with paragraph 2,</p> <p>— costs of data gathering and reporting in accordance with point (c) of paragraph 1.</p> <p>This point shall not apply to extended producer responsibility schemes established</p> <p>(b) in the case of collective fulfilment of extended producer responsibility obligations, are modulated, where possible, for individual products or groups of similar products, notably by taking into account their durability, reparability, re-usability and recyclability and the presence of hazardous substances, thereby taking a lifecycle approach and aligned with the requirements set by relevant Union law, and where available, based on harmonised criteria in order to ensure a smooth functioning of the internal market; and</p> <p>(c) do not exceed the costs that are necessary to provide waste management services in a cost-efficient way. Such</p>	N/A	N/A	N/A	N/A	N/A

	<p>costs shall be established in a transparent way between the actors concerned.</p> <p>Where justified by the need to ensure proper waste management and the economic viability of the extended producer responsibility scheme, Member States may depart from the division of financial responsibility as laid down in point (a), provided that:</p> <p>(i) in the case of extended producer responsibility schemes established to attain waste management targets and objectives established under legislative acts of the Union, the producers of products bear at least 80 % of the necessary costs;</p> <p>(ii) in the case of extended producer responsibility schemes established on or after 4 July 2018 to attain waste management targets and objectives solely established in Member State legislation, the producers of products bear at least 80 % of the necessary costs;</p> <p>(iii) in the case of extended producer responsibility schemes established before 4 July 2018 to attain waste management targets and objectives solely established in Member State legislation, the producers of products bear at least 50 % of the necessary costs, and provided that the remaining costs are borne by original waste producers or distributors.</p> <p>This derogation may not be used to lower the proportion of costs borne by producers of products under extended producer responsibility schemes established before 4 July 2018.</p>					
8a (5)	<p>5. Member States shall establish an adequate monitoring and enforcement framework with a view to ensuring that producers of products and organisations implementing extended producer responsibility obligations on their behalf implement their extended producer responsibility obligations, including in the case of distance sales, that the financial means are properly used and that all actors involved in the implementation of the extended producer responsibility schemes report reliable data.</p> <p>Where, in the territory of a Member State, multiple organisations implement extended producer responsibility obligations on behalf of producers of products, the Member State concerned shall appoint at least one body independent of private interests or entrust a public authority to oversee the implementation of extended producer responsibility obligations.</p>	N/A	N/A	N/A	N/A	N/A

	Each Member State shall allow the producers of products established in another Member State and placing products on its territory to appoint a legal or natural person established on its territory as an authorised representative for the purposes of fulfilling the obligations of a producer related to extended producer responsibility schemes on its territory. For the purposes of monitoring and verifying compliance with the obligations of the producer of the product in relation to extended producer responsibility schemes, Member States may lay down requirements, such as registration, information and reporting requirements, to be met by a legal or natural person to be appointed as an authorised representative on their territory.					
8a (6)	6. Member States shall ensure a regular dialogue between relevant stakeholders involved in the implementation of extended producer responsibility schemes, including producers and distributors, private or public waste operators, local authorities, civil society organisations and, where applicable, social economy actors, re-use and repair networks and preparing for re-use operators	N/A	N/A	N/A	N/A	N/A
8a (7)	7. Member States shall take measures to ensure that extended producer responsibility schemes that have been established before 4 July 2018, comply with this Article by 5 January 2023.	N/A	N/A	N/A	N/A	N/A
8a (8)	8. The provision of information to the public under this Article shall be without prejudice to preserving the confidentiality of commercially sensitive information in conformity with the relevant Union and national law	N/A	N/A	N/A	N/A	N/A
Article 9 <b>Prevention of waste (1)</b>	1. Member States shall take measures to prevent waste generation. Those measures shall, at least: (a) promote and support sustainable production and consumption models; (b) encourage the design, manufacturing and use of products that are resource-efficient, durable (including in terms of life span and absence of planned obsolescence), repairable, re-usable and upgradable; (c) target products containing critical raw materials to prevent that those materials become waste; (d) encourage the re-use of products and the setting up of systems promoting repair and re-use activities, including in particular for electrical and electronic equipment, textiles and furniture, as well as packaging and construction materials and products;	Draft Law	10, 67	Article 10 <b>Prevention of Waste</b>  1. Waste prevention is carried out through the measures provided for in the National Waste Prevention Program, which is approved by Decision of the Council of Ministers upon the proposal of the Minister responsible for the environment, in accordance with the provisions of Article 66 of this Law.	Partial	The draft law on integrated waste management generally states that waste prevention ranks first in the waste hierarchy. However, none of the specific provisions of the draft law—Article 10, Article 66, and Annex 5—include the key waste prevention measures outlined in Article 9(1) of Directive 2008/98/EC on waste.

	<p>(e) encourage, as appropriate and without prejudice to intellectual property rights, the availability of spare parts, instruction manuals, technical information, or other instruments, equipment or software enabling the repair and re-use of products without compromising their quality and safety;</p> <p>(f) reduce waste generation in processes related to industrial production, extraction of minerals, manufacturing, construction and demolition, taking into account best available techniques;</p> <p>(g) reduce the generation of food waste in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households as a contribution to the United Nations Sustainable Development Goal to reduce by 50 % the per capita global food waste at the retail and consumer levels and to reduce food losses along production and supply chains by 2030;</p> <p>(h) encourage food donation and other redistribution for human consumption, prioritising human use over animal feed and the reprocessing into non-food products;</p> <p>(i) promote the reduction of the content of hazardous substances in materials and products, without prejudice to harmonised legal requirements concerning those materials and products laid down at Union level, and ensure that any supplier of an article as defined in point 33 of Article 3 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (1) provides the information pursuant to Article 33(1) of that Regulation to the European Chemicals Agency as from 5 January 2021;</p> <p>(j) reduce the generation of waste, in particular waste that is not suitable for preparing for re-use or recycling;</p> <p>(k) identify products that are the main sources of littering, notably in natural and marine environments, and take appropriate measures to prevent and reduce litter from such products; where Member States decide to implement this obligation through market restrictions, they shall ensure that such restrictions are proportionate and non-discriminatory;</p> <p>(l) aim to halt the generation of marine litter as a contribution towards the United Nations Sustainable Development Goal to prevent and significantly reduce marine pollution of all kinds; and</p> <p>(m) develop and support information campaigns to raise awareness about waste prevention and littering.</p>		<p>2. Waste prevention measures at sectoral, zonal or local level are also provided for, as appropriate, in the sectoral, zonal or local plans for integrated waste management provided for in Articles 63-65 of this Law. In any case, these measures are in accordance with the measures provided for in the National Waste Prevention Program and with the provisions of this Law.</p> <p style="text-align: center;"><i>Article 66</i> <b>Programs for Preventing Waste Generation</b></p> <p>1. The National Waste Prevention Program defines national policies for waste prevention in the territory of the Republic of Albania in order to ensure that economic growth is not accompanied by negative environmental impacts from waste generated.</p> <p>2. The National Waste Prevention Program contains the waste prevention objectives and measures for their implementation according to Annex 5 to this law.</p> <p>3. The Ministry drafts the National Waste Prevention Program, in cooperation with line ministries and municipalities, in accordance with the objectives and principles of environmental protection.</p> <p>4. The National Waste Prevention Program is an integral part of the National Strategy for Integrated Waste Management, as an annex thereto, and is approved by decision of the Council of Ministers upon the proposal of the Minister.</p>		
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9 (2)	2. The European Chemicals Agency shall establish a database for the data to be submitted to it pursuant to point (i) of paragraph 1 by 5 January 2020 and maintain it. The European Chemicals Agency shall provide access to that database to waste treatment operators. It shall also provide access to that database to consumers upon request.	N/A	N/A	N/A	N/A	N/A
9 (3)	3. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or quantitative indicators and targets, notably on the quantity of waste that is generated.	-	-	-	Non-compliant	The draft law on integrated waste management does not contain these provisions. The assessment of alignment should be re-conducted after the approval of the national waste prevention program to determine if it includes provisions for monitoring, implementation, and evaluation indicators as specified in Article 9(3) of Directive 2008/98/EC on waste.
9 (4)	4. Member States shall monitor and assess the implementation of their measures on re-use by measuring re-use on the basis of the common methodology established by the implementing act referred to in paragraph 7, as from the first full calendar year after the adoption of that implementing act.	-	-	-	Non-Compliant	The draft law on integrated waste management does not contain these provisions. The assessment of alignment should be re-conducted after the approval of the national waste prevention program to determine if it includes the provisions of Article 9(4) of Directive 2008/98/EC on waste.
9 (5)	5. Member States shall monitor and assess the implementation of their food waste prevention measures by measuring the levels of food waste on the basis of the methodology established by the delegated act referred to in paragraph 8, as from the first full calendar year after the adoption of that delegated act	-	-	-	Non-compliant	The draft law on integrated waste management does not contain these provisions. The assessment of alignment should be re-conducted after the approval of the national waste prevention program to determine if it includes the provisions of Article 9(5) of Directive 2008/98/EC on waste.
9 (6)	6. By 31 December 2023, the Commission shall examine the data on food waste provided by Member States in accordance with Article 37 (3) with a view to considering the feasibility of establishing a Unionwide food waste reduction target to be met by 2030 on the basis of the data reported by Member States in accordance with the common methodology established pursuant to paragraph 8 of this Article. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal.	N/A	N/A	N/A	N/A	N/A

9 (7)	7. The Commission shall adopt implementing acts to establish indicators to measure the overall progress in the implementation of waste prevention measures and shall, by 31 March 2019, adopt an implementing act to establish a common methodology to report on re-use of products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2).	N/A	N/A	N/A	N/A	N/A
9 (8)	8. By 31 March 2019, the Commission shall adopt, on the basis of the outcome of the work of the EU Platform on Food Losses and Food Waste, a delegated act in accordance with Article 38a to supplement this Directive by establishing a common methodology and minimum quality requirements for the uniform measurement of levels of food waste	N/A	N/A	N/A	N/A	N/A
9 (9)	9. By 31 December 2024, the Commission shall examine data on reuse provided by Member States in accordance with Article 37(3) with a view to considering the feasibility of measures to encourage the re-use of products, including the setting of quantitative targets. The Commission shall also examine the feasibility of setting other waste prevention measures, including waste reduction targets. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal.	N/A	N/A	N/A	N/A	N/A



<p><i>Article 10</i> <b>Recovery</b> <i>(1)</i></p>	<p>1. Member States shall take the necessary measures to ensure that waste undergoes preparing for re-use, recycling or other recovery operations, in accordance with Articles 4 and 13.</p>	<p><i>Draft Law</i></p>	<p>5, 12 (1)</p>	<p><i>Article 12</i> <b>Waste recovery</b></p> <p>1. For the purpose of carrying out preparation for reuse, recycling and other waste recovery operations in accordance with the waste hierarchy and the principles of this law:</p> <p>a) waste shall be collected in a differentiated manner, in accordance with Article 11 of this law and shall not be mixed with other waste or materials that are different in composition, except in the cases provided for in point 2 of this article.</p> <p>b) waste hazardous substances, mixtures or components shall be eliminated before or during recovery, with a view to their treatment in accordance with the provisions of this law.</p> <p><i>Article 5</i> <b>General Principles</b></p> <p>1. Integrated waste management within the territory of the Republic of Albania is a matter of public interest.</p> <p>2. Integrated waste management is carried out in compliance with:</p> <p>a) the principles of protecting, conserving, and improving environmental quality and safeguarding human health in accordance with the applicable Albanian environmental protection legislation;</p> <p>b) the principles of the circular economy, which views waste as a resource;</p> <p>c) the principles of equality and non-discrimination, including gender equality, as well as the overall economic and social impact;</p> <p>ç) the “polluter pays” principle as provided in the environmental protection legislation;</p>	<p>Full</p>	<p>Article 12 of the draft law on integrated waste management refers to the principles of waste management outlined in Article 5 of the draft law and the waste hierarchy.</p> <p>Article 5 of the draft law on integrated waste management stipulates that all integrated waste management operations, including preparation for reuse, recycling, and other recoveries, must be carried out in accordance with the principles set out in Articles 4 and 13 of Directive 2008/98/EC on waste.</p>
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			<p>d) the waste hierarchy.</p> <p>3. Integrated waste management is carried out according to criteria of efficiency, effectiveness, economic profitability, transparency, and technical and economic feasibility, in order to ensure a sustainable and proportional system. The integrated waste management system is also based on the cooperation of the entities involved in the production, distribution, use, and consumption of products from which waste is generated.</p> <p>4. The competent authorities and responsible entities take the necessary measures to ensure that waste is managed without risking human health and without harming the environment. The measures taken must ensure that water, air, soil (including agricultural land), plants, or animals are not endangered; that nuisance from noise or unpleasant odors is avoided; and that rural areas or areas with special protection are not negatively affected.</p>		
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10 (2)	2. Where necessary to comply with paragraph 1 and to facilitate or improve preparing for re-use, recycling and other recovery operations, waste shall be subject to separate collection and shall not be mixed with other waste or other materials with different properties.	Draft Law	11 (2), 12 (1) (a)	<p><i>Article 11</i> <b>Preparation for reuse and recycling of waste</b></p> <p>2. In order to promote high-quality recycling, waste shall be collected in a differentiated manner. The Council of Ministers, upon the proposal of the Minister and after consultation with local self-government units, shall adopt the criteria, procedures and deadlines for the implementation of differentiated waste collection for all waste streams.</p> <p><i>Article 12</i> <b>Waste recovery</b></p> <p>1. For the performance of preparation for reuse, recycling and other waste recovery operations in accordance with the waste hierarchy and the principles of this law, waste:</p> <p>a) shall be collected in a differentiated manner, in accordance with Article 11 of this law and shall not be mixed with other waste or materials that are different in composition, except in the cases provided for in point 2 of this article.</p>	Partial	Although the provisions of the draft law mention several times that waste shall be collected separately, this obligation does not enter into force with the adoption of the law, but with the adoption of a Decision of the Council of Ministers (DCM), which will determine, among other things, the deadline for when the obligation begins. The indefinite postponement of the deadline for separate waste collection—beyond 2018, as set by the current legislation—is not in compliance with Article 10(2) of Directive 2008/98/EC on waste, with the waste hierarchy, or with the principle of the circular economy. The compliance assessment should be carried out again after the adoption of the DCMs that set the deadlines for the start of recycling.
10 (3)	3. Member States may allow derogations from paragraph 2 provided that at least one of the following conditions is met: (a) collecting certain types of waste together does not affect their potential to undergo preparing for re-use, recycling or other recovery operations in accordance with Article 4 and results in output from those operations which is of comparable quality to that achieved through separate collection; (b) separate collection does not deliver the best environmental outcome when considering the overall environmental impacts of the management of the relevant waste streams; (c) separate collection is not technically feasible taking into consideration good practices in waste collection; (d) separate collection would entail disproportionate economic costs taking into account the costs of adverse environmental and health impacts of mixed waste collection and treatment, the potential for efficiency	Draft Law	12 (2)	<p>2. Exceptions to the obligation provided in paragraph 2 of this article are allowed in cases where at least one of the following conditions is met:</p> <p>a) when the collection of certain types of waste together does not prevent these waste materials from undergoing operations for preparation for reuse, recycling, and other recovery operations.</p> <p>b) when separate collection of waste does not provide the best result for the environment, taking into account the overall environmental impacts from the management of the respective waste streams;</p>	Partial	Article 12(2) of the draft law contains the exemptions provided for in Article 10(3) of Directive 2008/98/EC on waste.

	<p>improvements in waste collection and treatment, revenues from sales of secondary raw materials as well as the application of the polluter-pays principle and extended producer responsibility.</p> <p>Member States shall regularly review derogations under this paragraph taking into account good practices in separate collection of waste and other developments in waste management.</p>			<p>c) when separate collection of waste is not technically feasible, considering best practices for waste collection;</p> <p>ç) when differentiated collection causes disproportionate economic costs, which are calculated by considering the following elements:</p> <p>i) the costs of the negative impact on the environment and health caused by the undifferentiated collection and treatment of waste;</p> <p>ii) the potential for increasing the efficiency of waste collection and treatment;</p> <p>iii) the income from the sale of secondary raw materials and</p> <p>iv) the implementation of the polluter pays principle and extended producer responsibility.</p>		
10 (4)	<p>4. Member States shall take measures to ensure that waste that has been separately collected for preparing for re-use and recycling pursuant to Article 11(1) and Article 22 is not incinerated, with the exception of waste resulting from subsequent treatment operations of the separately collected waste for which incineration delivers the best environmental outcome in accordance with Article 4.</p>	Draft Law	37 (3)	<p><i>Article 37</i></p> <p><b>Waste Incineration</b></p> <p>3. Waste that has been collected separately for the purpose of preparation for reuse and recycling is not accepted for incineration, except for waste generated from further treatment operations of the separately collected waste for which the incineration operation provides the best environmental outcome.</p>	Full	<p>Article 37(4) of the draft law contains the prohibition on the incineration of separately collected waste, as provided for in Article 10(4) of Directive 2008/98/EC on waste.</p>
10 (5)	<p>5. Where necessary to comply with paragraph 1 of this Article and to facilitate or improve recovery, Member States shall take the necessary measures, before or during recovery, to remove hazardous substances, mixtures and components from hazardous waste with a view to their treatment in accordance with Articles 4 and 13.</p>	Draft Law	12 (1) (b)	<p><i>Article 12</i></p> <p><b>Waste recovery</b></p> <p>1. For the purpose of carrying out preparation for reuse, recycling and other waste recovery operations in accordance with the waste hierarchy and the principles of this law, waste:</p> <p>b) hazardous, hazardous substances, mixtures or components, shall be eliminated before or during recovery, with a view to their treatment in</p>	Full	<p>The provision of Article 10(5) of Directive 2008/98/EC on waste is reflected in Article 12(1)(b) of the draft law.</p>

				accordance with the provisions of this law.		
10 (6)	6. By 31 December 2021, Member States shall submit a report to the Commission on the implementation of this Article as regards municipal waste and bio-waste, including on the material and territorial coverage of separate collection and any derogations under paragraph 3.	N/A	N/A	N/A	N/A	N/A
Article 11 <i>Preparing for re-use and recycling</i>  (1)	1. Member States shall take measures to promote preparing for reuse activities, notably by encouraging the establishment of and support for preparing for re-use and repair networks, by facilitating, where compatible with proper waste management, their access to waste held by collection schemes or facilities that can be prepared for re-use but is not destined for preparing for re-use by those schemes or facilities, and by promoting the use of economic instruments, procurement criteria, quantitative objectives or other measures.	Draft Law	11 (1)	Article 11 <b>Preparation for Reuse and Recycling of Waste</b> 1. Measures to promote the preparation of waste for reuse are defined in the national strategy, the sectoral, zonal, or local integrated waste management plan, in accordance with the provisions of Chapter V of this law, and include:  a) measures for establishing and supporting reuse and repair networks; b) measures that facilitate access for reuse and repair networks to waste prepared for reuse, collected by natural or legal persons engaged in waste collection activities; c) measures promoting the use of economic instruments; ç) specific criteria in public procurement procedures; d) fulfillment of quantitative targets; dh) measures that encourage the implementation of extended producer responsibility; e) other appropriate measures for achieving this objective.	Partial	The draft law includes all the principles and measures provided for in Article 11 of Directive 2008/98/EC on waste and stipulates that they will be incorporated into the national strategy, sectoral plan, and the zonal and local plans as outlined in Chapter V of the draft law.
11 (1) Paragraph 2	Member States shall take measures to promote high-quality recycling and, to this end, subject to Article 10(2) and (3), shall set up separate collection of waste.	Draft Law	12 (1) (a),  11 (2)	Article 12 <b>Recovery of Waste</b> 2. For carrying out preparation for reuse, recycling, and other recovery operations of waste in accordance with the waste hierarchy and the principles of this law, the waste: a) Waste is collected separately in accordance with the provisions of Article 11 of this law and is not mixed	Partial	Although the provisions of the draft law mention several times that waste shall be collected separately, this obligation does not enter into force with the adoption of the law, but rather with the adoption of a Decision of the Council of Ministers, which will determine, among other things, the deadline for when the obligation begins. The indefinite postponement of the separate waste collection

				<p>with other waste or materials that differ in composition, in order to facilitate or improve preparation for reuse, recycling, and other recovery operations, except in cases provided for in paragraph 2 of this article.</p> <p><i>Article 11</i></p> <p><b>Preparation for Reuse and Recycling of Waste</b></p> <p>2. To promote high-quality recycling, waste is collected separately. The Council of Ministers, upon the proposal of the Minister and after consultation with local self-government units, approves the criteria, procedures, and deadlines for the implementation of separate waste collection for all waste streams.</p>		<p>deadline—which was initially set to start in 2018—is not in compliance with Article 10(2) of Directive 2008/98/EC on waste, the waste hierarchy, the requirement for high-quality recycling, or the concept of the circular economy.</p>
<p><i>11 (1)</i> <i>Paragrafi 3</i></p>	<p>Subject to Article 10(2) and (3), Member States shall set up separate collection at least for paper, metal, plastic and glass, and, by 1 January 2025, for textiles.</p>	<p><i>Draft Law</i></p>	<p><i>11 (2)</i></p>	<p><i>Article 11</i></p> <p><b>Preparation for Reuse and Recycling of Waste</b></p> <p>2. To promote high-quality recycling, waste shall be collected separately. The Council of Ministers, upon the proposal of the Minister and after consultation with local self-government units, shall approve the criteria, procedures, and deadlines for the implementation of separate waste collection for all waste streams.</p>	<p>Partial</p>	<p>The deadlines for the start of separate collection of paper, metal, plastic, and glass have been removed from the draft law and are to be adopted by a Council of Ministers' Decision, along with the deadlines for the separate collection of other waste streams. The delay in the separate collection deadline for paper, plastic, metal, and glass, which was originally set to start in 2018, weakens recycling and reuse policies and the implementation of the waste hierarchy, lowering the level of alignment between Albanian waste management policies and those of the EU</p>
<p><i>11 (1)</i> <i>Paragrafi 4</i></p>	<p>Member States shall take measures to promote selective demolition in order to enable removal and safe handling of hazardous substances and facilitate re-use and high-quality recycling by selective removal of materials, and to ensure the establishment of sorting systems for construction and demolition waste at least for wood, mineral fractions (concrete, bricks, tiles and ceramics, stones), metal, glass, plastic and plaster.</p>	<p>-</p>	<p>-</p>	<p>-</p>	<p>Non-compliant</p>	<p>The draft law does not foresee the adoption of the measures specified in Article 11(1) paragraph 4 of Directive 2008/98/EC on waste regarding waste from construction and demolition.</p>

11 (2)	<p>2. In order to comply with the objectives of this Directive, and move to a European circular economy with a high level of resource efficiency, Member States shall take the necessary measures designed to achieve the following targets:</p> <p>(a) by 2020, the preparing for re-use and the recycling of waste materials such as at least paper, metal, plastic and glass from households and possibly from other origins as far as these waste streams are similar to waste from households, shall be increased to a minimum of overall 50 % by weight;</p> <p>(b) by 2020, the preparing for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, of non-hazardous construction and demolition waste excluding naturally occurring material defined in category 17 05 04 in the list of waste shall be increased to a minimum of 70 % by weight;</p> <p>(c) by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 55 % by weight;</p> <p>(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 60 % by weight;</p> <p>(e) by 2035, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 65 % by weight.</p>	Draft Law	13 (1)	<p>Article 13</p> <p><b>Objectives and Methodology for Calculating the Achievement of Objectives for Preparation for Reuse, Recycling, and Other Waste Recovery Operations</b></p> <p>1. The objectives for the preparation of waste for reuse, recycling, and other recovery operations for waste streams are defined in the National Strategy and the Action Plan for Integrated Waste Management, which is adopted in accordance with the provisions of Article 62 of this law.</p>	Partial	The draft law provides that the objectives for preparation for reuse and recycling of municipal waste, as outlined in the directive, will be defined in the National Strategy and the Action Plan for Integrated Waste Management. After the approval of this strategy, the level of compliance with Article 11 (2) of Directive 2008/98/EC on waste should be reassessed.
11 (3)	<p>3. A Member State may postpone the deadlines for attaining the targets referred to in points (c), (d) and (e) of paragraph 2 by up to five years provided that that Member State:</p> <p>(a) prepared for re-use and recycled less than 20 % or landfilled more than 60 % of its municipal waste generated in 2013 as reported under the Joint Questionnaire of the OECD and Eurostat; and</p> <p>(b) at the latest 24 months before the respective deadline laid down in point (c), (d) or (e) of paragraph 2, notifies the Commission of its intention to postpone the respective deadline and submits an implementation plan in accordance with Annex IVb.</p>	N/A	N/A	N/A	N/A	N/A
11 (4)	4. Within three months of receipt of the implementation plan submitted pursuant to point (b) of paragraph 3, the Commission may request a Member State to revise that plan if the Commission considers that the plan does not	N/A	N/A	N/A	N/A	N/A

	comply with the requirements set out in Annex IVb. The Member State concerned shall submit a revised plan within three months of receipt of the Commission's request.					
11 (5)	5. In the event of postponing the attainment of the targets in accordance with paragraph 3, the Member State concerned shall take the necessary measures to increase the preparing for re-use and the recycling of municipal waste: (a) to a minimum of 50 % by 2025 in the event of postponing the deadline for attaining the target referred to in point (c) of paragraph 2; (b) to a minimum of 55 % by 2030 in the event of postponing the deadline for attaining the target referred to in point (d) of paragraph 2; (c) to a minimum of 60 % by 2035 in the event of postponing the deadline for attaining the target referred to in point (e) of paragraph 2.	N/A	N/A	N/A	N/A	N/A
11 (6)	6. By 31 December 2024, the Commission shall consider the setting of preparing for re-use and recycling targets for construction and demolition waste and its material-specific fractions, textile waste, commercial waste, non-hazardous industrial waste and other waste streams, as well as preparing for re-use targets for municipal waste and recycling targets for municipal bio-waste. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal.	N/A	N/A	N/A	N/A	N/A
11 (7)	7. By 31 December 2028, the Commission shall review the target laid down in point (e) of paragraph 2. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal. The Commission shall assess co-processing technology that allows the incorporation of minerals in the co-incineration process of municipal waste. Where a reliable methodology can be found, as part of this review, the Commission shall consider whether such minerals may be counted towards recycling targets.	N/A	N/A	N/A	N/A	N/A
<i>Article 11a</i> <b>Rules on the calculation of the attainment of the targets</b> (1)	1. For the purpose of calculating whether the targets laid down in points (c), (d) and (e) of Article 11(2) and in Article 11(3) have been attained: (a) Member States shall calculate the weight of the municipal waste generated and prepared for re-use or recycled in a given calendar year; (b) the weight of the municipal waste prepared for re-use shall be calculated as the weight of products or components	Draft Law	13 (2)	<i>Article 13</i> <b>Objectives and Methodology for Calculating the Fulfillment of Objectives for Preparation for Reuse, Recycling, and Other Waste Recovery</b>	Full	Article 13 (2) of the draft law provides that the methodology for calculating the fulfillment of objectives will be approved by a decision of the Council of Ministers. However, it includes in letter (e) all the criteria foreseen by Article 11a



	<p>of products that have become municipal waste and have undergone all necessary checking, cleaning or repairing operations to enable reuse without further sorting or pre-processing;</p> <p>(c) the weight of the municipal waste recycled shall be calculated as the weight of waste which, having undergone all necessary checking, sorting and other preliminary operations to remove waste materials that are not targeted by the subsequent reprocessing and to ensure high-quality recycling, enters the recycling operation whereby waste materials are actually reprocessed into products, materials or substances.</p>		<p>2. The methodology for calculating the fulfillment of objectives, the year in which the obligation to meet the objectives begins, and the intermediate deadlines are determined by the Council of Ministers, upon the proposal of the Minister and after consultation with local self-government units, based on:</p> <p>a) the actual situation of the Local Government Units (LGUs);</p> <p>b) analysis of the total amounts of municipal waste;</p> <p>c) technological capacity for reuse, recycling, and recovery;</p> <p>d) the methodology for meeting the objectives;</p> <p>e) the weight of municipal waste created and prepared for reuse or recycled in a specific calendar year, which is calculated as follows:</p> <p>i. the weight of municipal waste prepared for reuse is calculated as the weight of products or product components that have been returned to municipal waste and subjected to all necessary operations for control, cleaning, or repair to enable reuse without further separation or prior processing;</p> <p>ii. the weight of recycled municipal waste is calculated as the weight of waste that, after undergoing all necessary controls, separation, and other preliminary operations to remove materials from the waste that will not be treated in subsequent recycling processes and ensure high-quality recycling, undergoes recycling operations where the waste is processed to produce products, materials, or substances.</p>		(1) of Directive 2008/98/EC on waste.
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11a (2)	<p>2. For the purposes of point (c) of paragraph 1, the weight of themunicipal waste recycled shall be measured when the waste enters the recycling operation..</p> <p>By way of derogation from the first subparagraph, the weight ofmunicipal waste recycled may be measured at the output of any sorting operation provided that:</p> <p>(a) such output waste is subsequently recycled;</p> <p>(b) the weight of materials or substances that are removed by further operations preceding the recycling operation and are not subsequently recycled is not included in the weight of waste reported as recycled.</p>	-	-	-	Non-compliant	Until the Decision of the Council of Ministers with the methodology for calculating the fulfillment of objectives is approved, this provision of Directive 2008/98/EC on waste is not in compliance.
11a (3)	<p>3. Member States shall establish an effective system of quality control and traceability of municipal waste to ensure that the conditions laid down in point (c) of paragraph 1 of this Article and in paragraph 2 of this Article are met. To ensure the reliability and accuracy of the data gathered on recycled waste, the system may consist of electronic registries set up pursuant to Article 35(4), technical specifications for the quality requirements of sorted waste, or average loss rates for sorted waste for various waste types and waste management practices respectively. Average loss rates shall only be used in cases where reliable data cannot be obtained otherwise and shall be calculated on the basis of the calculation rules established in the delegated act adopted pursuant to paragraph 10 of this Article.</p>	Draft Law	70, 72	<p><i>Article 70</i></p> <p><b>Data Retention Requirements</b></p> <p>1. Any person who carries out waste treatment as a professional activity, including hazardous waste generators, entities that collect or transport hazardous waste, or act as traders and agents of hazardous waste, shall keep in chronological order:</p> <p>a) Data on the quantity, type, and origin of the waste, as well as the quantity of products and materials resulting from preparation for reuse, recycling, or other recovery operations;</p> <p>b) As applicable, the destination, frequency of collection, transport method, and treatment method foreseen according to the type of waste.</p> <p>4. The National Environmental Agency (NEA) creates an electronic register to maintain waste data for the entire territory of the Republic of Albania. as per paragraph 1 of this article.</p> <p>The persons referred to in paragraph 2 above shall report the waste data to the electronic register every 6 months.</p> <p>5. The persons mentioned in paragraph 1 of this article shall make available to the</p>	Partial	The draft law on integrated waste management contains two articles that regulate the keeping of data. However, none of these articles specifically address the collection of data on recycled municipal waste. There is no mechanism foreseen for controlling the quality of municipal waste.

			<p>National Environmental Agency, the responsible environmental inspection body, or the previous owner of the waste, every 6 months, documentation verifying that waste management operations have been carried out.</p> <p>6. The Council of Ministers, upon the proposal of the Minister, shall approve the minimum criteria for the operation of the electronic registers referred to in paragraph 4 of this article.</p> <p style="text-align: center;"><i>Article 72</i> <b>Data and Reporting</b></p> <p>1. The National Environment Agency (NEA) maintains and updates the data reported on the generation, treatment, reuse, recycling, recovery, and disposal of waste by natural and legal persons who are granted a permit or license for conducting activities.</p> <p>2. The National Agency for Economy of Waste (NAEW) keeps and updates data on the quantity of municipal waste generated within the territories of municipalities and submits it to the NEA every year.</p> <p>3. All businesses operating within the municipality that generate, process, collect, or treat waste must report annually to the municipality, according to specific waste streams and in accordance with the relevant legislation for these waste streams.</p> <p>4. The NEA prepares the annual report for the previous year, with data on waste throughout the country, by the month of March each year, and publishes it on the official website of the Agency, making it available to the public.</p>		
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				5. The NEA and NAEW process the data in accordance with the provisions of Law No. 9887, dated 10.03.2008, "On the Protection of Personal Data."		
<i>11a (4)</i>	<p>4. For the purpose of calculating whether the targets laid down in points (c), (d) and (e) of Article 11(2) and in Article 11(3) have been attained, the amount of municipal biodegradable waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate, or other output with a similar quantity of recycled content in relation to input, which is to be used as a recycled product, material or substance. Where the output is used on land, Member States may count it as recycled only if this use results in benefits to agriculture or ecological improvement.</p> <p>As from 1 January 2027, Member States may count municipal biowaste entering aerobic or anaerobic treatment as recycled only if, in accordance with Article 22, it has been separately collected or separated at source.</p>	-	-	-	Non-Compliant	The technical methodology for calculation will be approved through subordinate legislation. The compliance assessment should be redone after the approval of these acts.
<i>11a (5)</i>	5. For the purposes of calculating whether the targets laid down in points (c), (d) and (e) of Article 11(2) and in Article 11(3) have been attained, the amount of waste materials that have ceased to be waste as a result of a preparatory operation before being reprocessed may be counted as recycled provided that such materials are destined for subsequent reprocessing into products, materials or substances to be used for the original or other purposes. However, end-of-waste materials to be used as fuels or other means to generate energy, or to be incinerated, backfilled or landfilled, shall not be counted towards the attainment of the recycling targets.	-	-	-	Non-compliant	The technical methodology for calculation will be approved through sub-legal acts. The compliance assessment should be redone after the approval of these acts.
<i>11a (6)</i>	6. For the purposes of calculating whether the targets laid down in points (c), (d) and (e) of Article 11(2) and in Article 11(3) have been attained, Member States may take into account the recycling of metals separated after incineration of municipal waste provided that the recycled metals meet certain quality criteria laid down in the	-	-	-	Non-compliant	The technical methodology for calculation will be approved through sub-legal acts. The compliance assessment should be repeated after the approval of these acts.

	implementing act adopted pursuant to paragraph 9 of this Article.					
<i>11a (7)</i>	7. Waste sent to another Member State for the purposes of preparing for re-use, recycling or backfilling in that other Member State may only be counted towards the attainment of the targets laid down in Article 11 (2) and (3) by the Member State in which that waste was collected.	-	-	-	Non-compliant	The technical methodology for calculation will be approved through sub-legal acts. The compliance assessment should be redone after the approval of these acts.
<i>11a (8)</i>	8. Waste exported from the Union for preparing for re-use or recycling shall count towards the attainment of the targets laid down in Article 11(2) and (3) of this Directive by the Member State in which it was collected only if the requirements of paragraph 3 of this Article are met and if, in accordance with Regulation (EC) No 1013/2006, the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union took place in conditions that are broadly equivalent to the requirements of the relevant Union environmental law.	-	-	-	Non-compliant	The technical methodology for calculation will be approved through sub-legal acts. The compliance assessment should be redone after the approval of these acts.
<i>11a (9)</i>	9. In order to ensure uniform conditions for the application of this Article, the Commission shall adopt by 31 March 2019 implementing acts establishing rules for the calculation, verification and reporting of data, in particular as regards: (a) a common methodology for the calculation of the weight of metals that have been recycled in accordance with paragraph 6, including quality criteria for the recycled metals, and (b) bio-waste separated and recycled at source. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2).	N/A	N/A	N/A	N/A	N/A
<i>11a (10)</i>	10. By 31 March 2019, the Commission shall adopt a delegated act in accordance with Article 38a in order to supplement this Directive by establishing rules for the calculation, verification and reporting of the weight of materials or substances which are removed after a sorting operation and which are not subsequently recycled, based on average loss rates for sorted waste.	N/A	N/A	N/A	N/A	N/A
<i>Article 11b Early warning report</i>	1. The Commission shall, in cooperation with the European Environment Agency, draw up reports on the progress towards the attainment of the targets laid down in points (c), (d) and (e) of Article 11(2) and in Article 11(3) at the latest three years before each deadline laid down therein.	N/A	N/A	N/A	N/A	N/A
<i>11b (2)</i>	2. The reports referred to in paragraph 1 shall include the following:	N/A	N/A	N/A	N/A	N/A

	(a) an estimation of the attainment of the targets by each Member State; (b) a list of Member States at risk of not attaining the targets within the respective deadlines, accompanied by appropriate recommendations for the Member States concerned; (c) examples of best practices that are used throughout the Union which could provide guidance for progressing towards attaining the targets.					
<i>Article 12 Disposal (1)</i>	1. Member States shall ensure that, where recovery in accordance with Article 10(1) is not undertaken, waste undergoes safe disposal operations which meet the provisions of Article 13 on the protection of human health and the environment.	<i>Draft Law</i>	<i>14 (1)</i>	<i>Article 14 Disposal of Waste</i> 1. Waste that is not subject to recovery according to Article 12 of this law shall undergo safe disposal operations, in accordance with the principles of Article 5 of this law, to protect human health and the environment.	Full	The provision of the draft law is in compliance with the provisions of Article 12(1) of Directive 2008/98/EC on waste.
<i>12 (2)</i>	2. By 31 December 2024, the Commission shall carry out an assessment of the disposal operations listed in Annex I, in particular in light of Article 13, and shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal, with a view to regulating disposal operations, including through possible restrictions, and to consider a disposal reduction target, to ensure environmentally sound waste management.	N/A	N/A	N/A	N/A	N/A
<i>Article 13 Protection of human health and the environment</i>	Member States shall take the necessary measures to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular: (a) without risk to water, air, soil, plants or animals; (b) without causing a nuisance through noise or odours; and (c) without adversely affecting the countryside or places of special interest.	<i>Draft Law</i>	<i>5 (4)</i>	<i>Article 5 General Principles</i> 4. The competent authorities and responsible entities shall take the necessary measures to ensure that waste is managed without posing a risk to human health and without harming the environment, ensuring that water, air, land, including agricultural land, plants, or animals are not endangered; that no nuisance is caused by noise or unpleasant odors; and that there is no negative impact on rural areas or areas under special protection.	Full	The general principles of the draft law on integrated waste management accurately reflect the principles outlined in Article 13 of Directive 2008/98/EC on waste.
<i>Article 14 Costs</i>	1. In accordance with the polluter-pays principle, the costs of waste management, including for the necessary infrastructure and its operation, shall be borne by the original waste producer or by the current or previous waste holders	<i>Draft Law</i>	<i>27 (1)</i>	<i>Article 27 Costs of Integrated Waste Management</i> 1. The costs of integrated waste management, including the costs of	Full	The cost coverage principles in the draft law on integrated waste management precisely reflect the cost coverage principles of Directive 2008/98/EC on waste.

				infrastructure and its operation, are covered by the waste producer or holder in accordance with the "Polluter Pays" principle.		
14 (2)	2. Without prejudice to Articles 8 and 8a, Member States may decide that the costs of waste management are to be borne partly or wholly by the producer of the product from which the waste came and that the distributors of such product may share these costs.	Draft Law	17, 27 (2)	<p>Article 17</p> <p><b>Extended Producer Responsibility</b></p> <p>1. A producer who, on a professional basis, develops, manufactures, processes, treats, sells, or imports products that generate waste after use shall be included in the extended responsibility of producer entities scheme.</p> <p>2. Extended responsibility of producer entities is regulated by a special law.</p> <p>Article 27</p> <p><b>Costs of Integrated Waste Management</b></p> <p>2. The costs for the integrated management of waste generated by products subject to the extended responsibility of producer entities scheme are covered in accordance with the provisions of the special law on the extended responsibility of producer entities.</p>	Partial	<p>The draft law on integrated waste management, in principle, provides that the producer of products is assigned responsibility for the management of waste resulting from their products. However, the specific elements of how this scheme will function are defined in the special law on extended producer responsibility (EPR) and in the secondary legislation to be adopted for its implementation.</p> <p>The compliance table completed in the framework of the EPR law indicates that alignment with the EU Acquis is only partial. Moreover, a discrepancy is observed between the terminology used in the directive — “producer of the product” — and that used in the draft law — “producing entity.”</p>
Article 15 <b>Responsibility for waste management</b> (1)	1. Member States shall take the necessary measures to ensure that any original waste producer or other holder carries out the treatment of waste himself or has the treatment handled by a dealer or an establishment or undertaking which carries out waste treatment operations or arranged by a private or public waste collector in accordance with Articles 4 and 13.	Draft Law	16 (1)	<p>Article 16</p> <p><b>Responsibility of the Waste Producer or Holder</b></p> <p>1. The waste generator or holder is responsible for implementing integrated waste management of the waste generated and/or held by him, in accordance with this law, with the legislation in force on environmental impact assessment and environmental permits, as well as with the special legislation regulating certain waste streams. In implementation of this</p>	Full	According to the draft law, the waste producer or holder is responsible for ensuring the integrated management of the waste they generate or hold, and the law provides several options for carrying out waste management, in line with the provisions of Article 15(1) of Directive 2008/98/EC on waste.

				<p>obligation, the waste generator or holder shall ensure that the waste generated or held by him is subject to integrated waste management operations in one of the following ways:</p> <p>a) by carrying out integrated waste management;</p> <p>b) by carrying out integrated waste management through an agent or dealer licensed under the legislation in force;</p> <p>c) by transferring or delivering the waste to persons who carry out waste treatment, in accordance with the legislation in force;</p> <p>ç) by transferring or delivering the waste to the waste collection system set up by the relevant municipality.</p> <p>d) by transferring or delivering the waste to a collection system established and managed by private operators within the territory where the waste is located and operating in accordance with the provisions of the legislation in force..</p>		
15 (2)	<p>2. When the waste is transferred from the original producer or holder to one of the natural or legal persons referred to in paragraph 1 for preliminary treatment, the responsibility for carrying out a complete recovery or disposal operation shall not be discharged as a general rule.</p> <p>Without prejudice to Regulation (EC) No 1013/2006, Member States may specify the conditions of responsibility and decide in which cases the original producer is to retain responsibility for the whole treatment chain or in which cases the responsibility of the producer and the holder can be shared or delegated among the actors of the treatment chain.</p>	Draft Law	16 (2)	<p><i>Article 16</i></p> <p><b>Responsibility of the waste producer or holder</b></p> <p>2. The producer or holder of waste, who delivers or transfers the waste to an agent, or dealer is not released of responsibility for the full completion of the waste recovery or disposal operations. The producer or holder of waste, who delivers or transfers the waste to a waste collection system established in accordance with the provisions of this law or to a natural or legal person who carries out waste treatment, is released from responsibility for the full completion of the recovery or disposal operations, provided, which are equipped with the appropriate legal documentation, as required by the case.</p>	Full	<p>Article 15(2) of Directive 2008/98/EC on waste provides, as a general rule, that the waste producer or holder is not relieved of responsibility for the final treatment or disposal of waste merely by transferring it to another person who performs preliminary treatment.</p> <p>Article 16 of the draft law follows the same approach.</p>



15 (3)	3. Member States may decide, in accordance with Article 8, that the responsibility for arranging waste management is to be borne partly or wholly by the producer of the product from which the waste came and that distributors of such product may share this responsibility.	Draft Law	17	<p>Article 17</p> <p><b>Extended Responsibility of Producer Entities</b></p> <p>1. A producer who, on a professional basis, develops, manufactures, processes, treats, sells, or imports products that generate waste after use shall be included in the extended producer responsibility system.</p> <p>2. Extended responsibility of producer entities is regulated by a specific law.</p>	Partial	<p>The draft waste law provides for the responsibility of the product producer for the management of waste resulting from the products they manufacture. However, the specific scheme outlining how this will function, which products will be included, and how the responsibility will be distributed is regulated by special legislation.</p> <p>The conformity assessment is carried out based on the special law on extended producer responsibility, which is in the process of being approved.</p> <p>A discrepancy is noted between the terminology used in the directive—"product producer"—and the terminology used in the draft law—"producer entity."</p>
15 (4)	4. Member States shall take the necessary measures to ensure that, within their territory, the establishments or undertakings which collect or transport waste on a professional basis deliver the waste collected and transported to appropriate treatment installations respecting the provisions of Article 13.	Draft Law	19	<p>Article 19</p> <p><b>Responsibility of Entities Engaged in Waste Collection and Transport Activities</b></p> <p>Licensed individuals and legal entities that collect or transport waste are responsible for delivering the collected or transported waste to appropriate treatment facilities that meet the requirements of this law and are accompanied by the delivery or transfer documentation as required by this law or specific legislation.</p>	Full	The draft law, like Article 15(5) of Directive 2008/98/EC on waste, stipulates that waste collectors and transporters are obligated to deliver the waste to appropriate treatment facilities that meet legal requirements.
Article 16 <b>Principles of self-sufficiency and proximity</b> (1)	1. Member States shall take appropriate measures, in cooperation with other Member States where this is necessary or advisable, to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers, taking into account best available techniques.	Draft Law	30	<p>Article 30</p> <p><b>Integrated Network of Waste Treatment Plants</b></p> <p>1. The integrated network of waste treatment facilities includes recovery and disposal facilities and is established in accordance with the national sectoral waste management plan, at the inter-municipal level, within the territories of</p>	Full	Article 16(1) of Directive 2008/98/EC on waste establishes the creation of an integrated and adequate network of installations for the disposal and recovery of mixed municipal waste, within a Member State or in cooperation between several states that integrate their networks when necessary or advisable.

				<p>waste management zones, taking into consideration:</p> <p>a) geographic circumstances and the need for specialized facilities for certain types of waste;</p> <p>b) the best available techniques;</p> <p>c) the provisions of Article 25 of this law.</p> <p>2. The integrated network of facilities is guided by the principle of proximity, and the location of the facilities must be suitable and easily accessible by municipalities within the waste management zone, as well as by the principle of self-sufficiency, which ensures the Republic of Albania's ability to carry out its own waste recovery and disposal operations within its territory.</p>		<p>The Albanian draft law, in line with EU policy, also provides for the establishment of an integrated network of facilities for the recovery and disposal of waste within the territory of Albania, implementing the best available techniques.</p>
16 (1) 2nd Paragraph	By way of derogation from Regulation (EC) No 1013/2006, Member States may, in order to protect their network, limit incoming shipments of waste destined to incinerators that are classified as recovery, where it has been established that such shipments would result in national waste having to be disposed of or waste having to be treated in a way that is not consistent with their waste management plans. Member States shall notify the Commission of any such decision. Member States may also limit outgoing shipments of waste on environmental grounds as set out in Regulation (EC) No 1013/2006.	Draft Law	72	<p>Article 72</p> <p><b>Import of Waste</b></p> <p>1. The import of hazardous and non-hazardous waste into the Republic of Albania is prohibited in all cases.</p> <p>2. The transboundary transit of hazardous waste through the Republic of Albania is prohibited in all cases.</p>	Full	The draft law on integrated waste management prohibits the import of all waste into the territory of the Republic of Albania. As a result, the protecting purpose of Article 16 (1), paragraph 2 of Directive 2008/98/EC on waste is fully achieved.
16 (2)	2. The network shall be designed to enable the Community as a whole to become self-sufficient in waste disposal as well as in the recovery of waste referred to in paragraph 1, and to enable Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.	Draft Law	30	<p>Article 30</p> <p><b>Integrated Network of Waste Treatment Plants</b></p> <p>1. The integrated network of waste treatment facilities includes recovery and disposal facilities and is established in accordance with the national sectoral waste management plan, at the inter-municipal level, within the territories of waste management zones, taking into consideration:</p> <p>a) geographic circumstances and the need for specialized facilities for certain types of waste;</p>	Full	<p>Article 16(2) of Directive 2008/98/EC on waste establishes the principle that the EU as a whole, as well as individual Member States, should aim to develop an integrated network of waste disposal and recovery installations that is self-sufficient, while taking into account geographical conditions and the need for specialized facilities for specific waste streams.</p> <p>The Albanian draft law, in alignment with the directive, specifies that the establishment of the network should consider geographical criteria and</p>

				<p>b) the best available techniques; c) the provisions of Article 25 of this law.</p> <p>2. The integrated network of facilities is guided by the principle of proximity, and the location of the facilities must be suitable and easily accessible by municipalities within the waste management zone, as well as by the principle of self-sufficiency, which ensures the Republic of Albania's ability to carry out its own waste recovery and disposal operations within its territory.</p>		specific needs for specialized installations. These same principles are also set out in Article 30 of the draft law.
16 (3)	3. The network shall enable waste to be disposed of or waste referred to in paragraph 1 to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.	Draft Law	25, 46	<p><i>Article 25</i></p> <p><b>Waste Management Zones</b></p> <p>1. The territory of the Republic of Albania is organized into waste management zones. To qualify an area as a waste management zone, all of the following criteria are considered:</p> <p>a) The main waste treatment facilities are established or planned to be established within the waste management zone;</p> <p>b) Supporting waste treatment infrastructure exists or is planned within the waste management zone;</p> <p>c) The location and extent of the waste management zone are designed to cover the territory as efficiently as possible;</p> <p>ç) The accessibility of the territory covered by the waste management zone must comply with the technical conditions of road infrastructure;</p> <p>d) The population size;</p> <p>dh) The quantity of waste generated in the territory covered by the waste management zone.</p> <p>2. Waste Management Zones are approved by the National Territorial Council and are part of the National Sectoral Plan for Solid Waste Management.</p>	Full	<p>Albania has been divided into waste management zones, within which the main waste treatment facilities are planned to be established, in order to create an integrated network. The objective is for each waste management zone to have the capacity to treat its own waste.</p> <p>With regard to waste treatment in accordance with environmental protection and public health, and using the most appropriate technologies, this is a general principle applicable to all integrated waste management activities, as provided in Article 5 of the draft law, and further regulated in Article 46 of the draft law.</p>

				<p>Article 46</p> <p><b>Minimum Technical Standards</b></p> <p>1. The Council of Ministers, upon the proposal of the minister, approves regulations that establish the minimum technical standards for all integrated waste management activities provided for in this law, including transport, collection, treatment operations, trade, and brokerage.</p> <p>2. The minimum technical standards, as defined in paragraph 1 of this article:</p> <p>a) regulate the main environmental impacts caused by waste treatment plants;</p> <p>b) ensure that waste is treated in accordance with this law and, in particular, with Article 5 of this law;</p> <p>c) take into account the best available techniques for carrying out the activities;</p> <p>ç) where appropriate, include elements related to the quality of treatment and process requirements.</p>		
16 (4)	4. The principles of proximity and self-sufficiency shall not mean that each Member State has to possess the full range of final recovery facilities within that Member State	N/A	N/A	N/A	N/A	N/A
Article 17 <i>Control of hazardous waste</i>	Member States shall take the necessary action to ensure that the production, collection and transportation of hazardous waste, as well as its storage and treatment, are carried out in conditions providing protection for the environment and human health in order to meet the provisions of Article 13, including action to ensure traceability from production to final destination and control of hazardous waste in order to meet the requirements of Articles 35 and 36.	Draft Law	5 (2), (4), 40	<p>Article 5</p> <p><b>General Principles</b></p> <p>2. Integrated waste management is carried out in accordance with:</p> <p>a) Principles of protection, preservation, and improvement of environmental quality and human health, in line with the Albanian legislation in force on environmental protection;</p> <p>b) Principles of the circular economy, which considers waste as a resource;</p> <p>c) Principles of equality and non-discrimination, including gender equality, as well as the overall economic and social impact;</p> <p>ç) the "polluter pays" principle, as provided in the environmental protection legislation;</p>	Full	<p>In line with the provisions of Directive 2008/98/EC on waste, the Albanian draft law also stipulates that the management of hazardous waste shall be carried out in a manner that protects the environment and human health.</p> <p>The compliance analysis with Articles 35 and 36 of Directive 2008/98/EC on waste is provided below under the corresponding articles.</p>

			<p>d) the waste hierarchy.</p> <p>4. The competent authorities and responsible entities shall take the necessary measures to ensure that waste is managed without endangering human health and without harming the environment, ensuring that there is no risk to water, air, or soil—including agricultural land—plants or animals, and that no nuisances such as noise or unpleasant odors are caused, nor any negative impact on rural areas or specially protected zones.</p> <p>Article 40</p> <p><b>Integrated Management of Hazardous Waste</b></p> <p>1. The generation, collection, transport, storage, and treatment of hazardous waste are carried out in accordance with the provisions of this law and only under conditions that ensure the protection of the environment and human health.</p> <p>2. The Council of Ministers, upon the proposal of the Minister, approves measures to ensure the traceability of waste from generation to its final destination, as well as the control of data related to hazardous waste, in compliance with the provisions of this law.</p> <p>3. Persons engaged in activities related to integrated hazardous waste management must obtain an environmental permit, which defines the conditions that must be met to ensure compliance with paragraph 1 of this article. The environmental impact permit is included in category III.1 of the annex attached to Law No. 10,081, dated 23.2.2009 "On Licenses, Authorizations, and Permits in the</p>	
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				Republic of Albania," and is issued in accordance with the provisions of this law and Law No. 10,448, dated 14.7.2011 "On Environmental Permits," as amended.		
<i>Article 18</i> <b>Ban on the mixing of hazardous waste</b> <i>(1)</i>	1. Member States shall take the necessary measures to ensure that hazardous waste is not mixed, either with other categories of hazardous waste or with other waste, substances or materials. Mixing shall include the dilution of hazardous substances.	<i>Draft Law</i>	<i>41 (1)</i>	<p>Article 41 <b>Prohibition of Mixing Hazardous Waste</b></p> <p>1. The mixing of hazardous waste with other types of hazardous waste or with other waste, substances, or materials is prohibited, except in the cases provided for in paragraph 2 of this article. The concept of mixing also includes the dilution of hazardous substances..</p>	Full	The provision of the draft law fully reflects the prohibition outlined in Directive 2008/98/EC on Waste.
<i>18 (2)</i> <i>(a), (b), (c)</i>	2. By way of derogation from paragraph 1, Member States may allow mixing provided that: (a) the mixing operation is carried out by an establishment or undertaking which has obtained a permit in accordance with Article 23; (b) the provisions of Article 13 are complied with and the adverse impact of the waste management on human health and the environment is not increased; and (c) the mixing operation conforms to best available techniques.	<i>Draft Law</i>	<i>41 (2), (3)</i>	<p>Article 41 <b>Prohibition of Mixing Hazardous Waste</b></p> <p>2. As an exception to the general rule set out in paragraph 1 above, the mixing of hazardous waste is permitted only when carried out by a natural or legal person who holds the relevant permit for the mixing of hazardous waste, which is issued when all of the following conditions are met:</p> <p>a) The mixing is carried out in accordance with the principles of Article 5 of this law and does not increase the negative impact on the environment and human health;</p> <p>b) The mixing operation is carried out in compliance with the best available techniques.</p> <p>3. Permits for activities specified in this provision are approved in accordance with Law No. 10,081, dated 23.2.2009 "On Licenses, Authorizations, and Permits in the Republic of Albania" and are included in category III.1 of its annex and Law No. 10,448, dated 14.7.2011 "On Environmental Permits."</p>	Full	<p>The exceptions to the general rule, as provided by the article of the draft law, are fully in line with the exemption conditions set out in Directive 2008/98/EC on waste.</p> <p>The compliance analysis of Article 23 of Directive 2008/98/EC on waste is provided in the corresponding article below.</p>

18 (3)	3. Where hazardous waste has been unlawfully mixed in breach of this Article, Member States shall ensure, without prejudice to Article 36, that separation is carried out where technically feasible and necessary to comply with Article 13.	Draft Law	41 (4)	<p>Article 41 <b>Prohibition of Mixing Hazardous Waste</b></p> <p>4. When hazardous waste is illegally mixed in violation of paragraph 1 of this article, the measures provided in Articles 77 and 78 of this law shall apply. In addition to the implementation of the measures in Articles 77 and 78, the violating entities are obligated, at their own expense, to separate the mixed hazardous waste, if such separation is technically feasible and necessary to fulfill the requirements of Article 5 of this law.</p>	Full	The draft law sets out the same obligations for violating entities as Directive 2008/98/EC on waste.
18 (3) 2nd Paragraph	Where separation is not required pursuant to the first subparagraph of this paragraph, Member States shall ensure that the mixed waste is treated in a facility that has obtained a permit in accordance with Article 23 to treat such a mixture.	Draft Law	41 (5)	<p>Article 41 <b>Prohibition of Mixing Hazardous Waste</b></p> <p>5. When the separation of mixed hazardous waste is not technically feasible and necessary to meet the requirements of Article 5, the mixture must be treated in a facility that is equipped with the appropriate permit.</p>	Full	The Albanian draft law also provides for this possibility as outlined in Article 18(3), paragraph 2 of Directive 2008/98/EC on waste.
Article 19 <b>Labelling of hazardous waste</b> (1)	1. Member States shall take the necessary measures to ensure that, in the course of collection, transport and temporary storage, hazardous waste is packaged and labelled in accordance with the international and Community standards in force.	Draft Law	42	<p>Article 42 <b>Labeling of Hazardous Waste</b></p> <p>1. Hazardous waste is collected, transported, and temporarily stored only when it is packaged and labeled in accordance with the rules and standards for the packaging and labeling of hazardous waste.</p> <p>2. The Council of Ministers, upon the proposal of the minister, approves the rules and standards for the packaging and labeling of hazardous waste during the collection, transportation, and temporary storage process.</p>	Full	<p>The Albanian draft law, just like Directive 2008/98/EC on waste, stipulates that the packaging and labeling of hazardous waste must be carried out in accordance with specific rules and standards.</p> <p>The compliance of Albanian rules and standards for the packaging and labeling of hazardous waste with EU standards is evaluated in the compatibility tables of the relevant EU acts.</p>
19 (2)	2. Whenever hazardous waste is transferred within a Member State, it shall be accompanied by an identification document, which may be in electronic format, containing the appropriate data specified in Annex IB to Regulation (EC) No 1013/2006.	Draft Law	45 (1), (2), (7)	<p>Article 45 <b>Delivery of Hazardous Waste</b></p> <p>1. Hazardous waste, delivered by a natural or legal person to another, is</p>	Partial	Article 45(2) of the draft law defines the minimum elements of the hazardous waste delivery document. These elements include part of the data required by Annex IB of

				<p>accompanied by a delivery document, which is also valid in electronic form.</p> <p>2. The delivery document contains at least the following information:</p> <p>a) the delivery document number;</p> <p>b) the name, address, email, phone number, and other necessary contact information of the deliverer's contact person;</p> <p>c) the name, address, email, phone number, and other necessary contact information of the transporter's contact person;</p> <p>ç) the name, address, email, phone number, and other necessary contact information of the destination location for the hazardous waste and the recipient;</p> <p>d) the name, address, email, phone number, and other necessary contact information of the waste producer;</p> <p>dh) a description of the hazardous waste, including the list of waste codes, quantities, delivery date, type of packaging, etc.;</p> <p>e) information on the chemical or biological components of the hazardous waste and their concentrations;</p> <p>ë) any other necessary information regarding the origin, delivery, destination, and treatment operations of the hazardous waste.</p> <p>7. The Council of Ministers, upon the proposal of the minister, approves the rules for the implementation of this article, including the delivery documentation form.</p>		<p>Regulation (EC) No. 1013/2006, as stipulated by Article 19(2) of Directive 2008/98/EC on waste.</p> <p>Once the delivery form is approved by the Council of Ministers, it may be reassessed whether the compliance of this provision remains partial or becomes complete.</p>
<p><i>Article 20</i></p> <p><b><i>Hazardous waste produced by households</i></b> <i>(1)</i></p>	<p>1. By 1 January 2025, Member States shall set up separate collection for hazardous waste fractions produced by households to ensure that they are treated in accordance with Articles 4 and 13 and do not contaminate other municipal waste streams.</p>	<i>Draft Law</i>	43 (1)	<p>Article 43</p> <p><b>Household Hazardous Waste</b></p> <p>1. Household hazardous waste is collected separately so as not to contaminate other streams of municipal waste and is treated in accordance with Article 5 of this law, within the</p>	Partial	<p>The Albanian draft law also establishes, in principle, that household hazardous waste must be collected separately. However, the starting date for this obligation is not defined by the law itself but is left to be determined by secondary legislation. The compliance of this</p>



				deadlines specified in the secondary legislation.		provision should be reassessed once the secondary legislation that sets the relevant deadlines enters into force.
20 (2)	2. Articles 17, 18, 19 and 35 shall not apply to mixed waste produced by households.	Draft Law	43 (2)	Article 43 <b>Household Hazardous Waste</b> 2. Articles 40, 41, 42, and 70 of this law do not apply to mixed waste generated by the household sector.	Full	The exemptions provided by the draft law are the same as those set out in Article 20(2) of Directive 2008/98/EC on waste.  Compliance with Article 35 of Directive 2008/98/EC on waste is analyzed further below.
20 (3)	3. Articles 19 and 35 shall not apply to separate fractions of hazardous waste produced by households until they are accepted for collection, disposal or recovery by an establishment or an undertaking which has obtained a permit or has been registered in accordance with Article 23 or 26.	Draft Law	43 (3)	Article 43 <b>Household Hazardous Waste</b> 3. Articles 42 and 70 of this law do not apply to separately collected fractions of household hazardous waste until they have been accepted for collection, disposal, or recovery by a person holding the appropriate permit or registered in accordance with Article 67 of this law.	Full	The exemptions provided by the draft law are the same as those provided in Article 20(3) of Directive 2008/98/EC on waste.  Compliance with Articles 23 and 26 of Directive 2008/98/EC on waste is analyzed in the relevant articles further below.
20 (4)	4. By 5 January 2020, the Commission shall draw up guidelines to assist and facilitate Member States in the separate collection of hazardous waste fractions produced by households.	N/A	N/A	N/A	N/A	N/A
Article 21 <b>Waste oils (1)</b>	1. Without prejudice to the obligations related to the management of hazardous waste laid down in Articles 18 and 19, Member States shall take the necessary measures to ensure that: (a) waste oils are collected separately, unless separate collection is not technically feasible taking into account good practices; (b) waste oils are treated, giving priority to regeneration or alternatively to other recycling operations delivering an equivalent or a better overall environmental outcome than regeneration, in accordance with Articles 4 and 13; (c) waste oils of different characteristics are not mixed and waste oils are not mixed with other kinds of waste or substances, if such mixing impedes their regeneration or another recycling operation delivering an equivalent or a better overall environmental outcome than regeneration.	Draft Law	47 (1), (2), (3), (6)	Article 47 <b>Used Oils</b> 1. Used oils are collected separately, except when this is not technically feasible considering the best practices. 2. Used oils are treated with priority given to regeneration or other recycling operations that have an equal or better environmental outcome than regeneration. 3. Used oils with different characteristics are not mixed with each other or with other types of waste or substances, if such mixing hinders regeneration or other recycling operations that have an equal or better environmental outcome than regeneration.	Full	The draft law is fully compliant with the provisions of Article 21(1) of Directive 2008/98/EC on waste.

				6. This provision does not affect the obligations related to the management of hazardous waste as provided in this law.		
21 (2)	2. For the purposes of separate collection of waste oils and their proper treatment, Member States may, according to their national conditions, apply additional measures such as technical requirements, producer responsibility, economic instruments or voluntary agreements.	Draft Law	47 (5)	<p>Article 47 <b>Used Oils</b></p> <p>5. The Council of Ministers, upon the proposal of the minister, approves the rules for the separate collection and treatment of used oils. These rules include measures such as technical requirements, economic instruments, and voluntary agreements.</p>	Full	Article 21(2) of Directive 2008/98/EC on waste gives member states the discretion to adopt additional rules for used oils, but the provision is not mandatory. In this context, the fact that the draft law in principle anticipates this possibility, regardless of the adoption of the subordinate act, constitutes full compliance with the Directive's provisions.
21 (3)	3. If waste oils, according to national legislation, are subject to requirements of regeneration, Member States may prescribe that such waste oils shall be regenerated if technically feasible and, where Articles 11 or 12 of Regulation (EC) No 1013/2006 apply, restrict the transboundary shipment of waste oils from their territory to incineration or co-incineration facilities in order to give priority to the regeneration of waste oils.	-	-	-	-	Article 21(3) of Directive 2008/98/EC on waste provides for these discretionary measures, but they are not mandatory. The draft law does not foresee this regulation, but this does not constitute non-compliance.
21 (4)	4. By 31 December 2022, the Commission shall examine data on waste oils provided by Member States in accordance with Article 37(4) with a view to considering the feasibility of adopting measures for the treatment of waste oils, including quantitative targets on the regeneration of waste oils and any further measures to promote the regeneration of waste oils. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal.	N/A	N/A	N/A	N/A	N/A
Article 22 <b>Bio-waste</b> (1)	1. Member States shall ensure that, by 31 December 2023 and subject to Article 10(2) and (3), bio-waste is either separated and recycled at source, or is collected separately and is not mixed with other types of waste.	Draft Law	11 (2), 48 (1)	<p>Article 48 <b>Bio-waste</b></p> <p>1. Municipalities take measures to ensure that, within their jurisdiction, bio-waste is separated and recycled at source, or collected in a differentiated manner and not mixed with other types of waste.</p>	Partial	The Albanian draft law also, in principle, provides for the separate collection of bio-waste. At first glance, reading Article 48(1) of the draft law, it appears that the obligation is immediate. However, an organic interpretation of the law — that is, a joint interpretation of Articles 21 and 48 of the draft law — shows that the separate collection of bio-waste will also begin at an

				<p><b>Article 11</b></p> <p><b>Preparation for Reuse and Recycling of Waste</b></p> <p>2. In order to promote high-quality recycling, waste is collected in a differentiated manner. The Council of Ministers, upon the proposal of the Minister and after consultation with local self-government units, approves the criteria, procedures, and deadlines for the implementation of differentiated waste collection for all waste streams.</p>		<p>unspecified time, after the approval of the relevant secondary legislation. As a result, compliance with Article 22(1) of Directive 2008/98/EC on waste is only partial due to the timing.</p> <p>The compliance analysis should be repeated after the deadline is set through the relevant secondary legislation</p>
22 (1) 2nd Paragraph	Member States may allow waste with similar biodegradability and compostability properties which complies with relevant European standards or any equivalent national standards for packaging recoverable through composting and biodegradation, to be collected together with bio-waste.	Draft Law	48 (3)	<p><b>Article 48</b></p> <p><b>Bio-waste</b></p> <p>3. Bio-waste may be collected together with waste that has a similar composition in terms of biodegradability and composting, which meets the standards for biodegradable packaging through composting and biodegradation.</p>	Full	<p>The provision in the draft law aligns with Article 22(1), paragraph 2 of Directive 2008/98/EC.</p> <p>An assessment of whether the Albanian standards for biodegradable packaging comply with EU standards will be carried out in the corresponding compliance table.</p>
22 (2)	2. Member States shall take measures in accordance with Articles 4 and 13, to: (a) encourage the recycling, including composting and digestion, of bio-waste in a way that fulfils a high level of environment protection and results in output which meets relevant high-quality standards; (b) encourage home composting; and (c) promote the use of materials produced from bio-waste.	Draft Law	48 (4)	<p><b>Article 48</b></p> <p><b>Biowaste</b></p> <p>4. The Ministry, the National Waste Economy Agency, local government units, and, as appropriate, other institutions, shall use all economic instruments and other measures within their competencies to: a) encourage recycling, including composting and biodegradation of biowaste, in order to achieve a high level of environmental protection and produce products that meet high quality standards suitable for their intended use; b) promote home composting, especially in rural areas; c) promote the use of materials produced from biowaste that are safe for the environment.</p>	Full	The provision in the draft law mirrors the same provision as Article 22(2) of Directive 2008/98/EC.
22 (3)	3. By 31 December 2018, the Commission shall request the	N/A	N/A	N/A	N/A	N/A

	European standardisation organisations to develop European standards for bio-waste entering organic recycling processes, for compost and for digestate, based on best available practices.					
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<p><i>Article 23</i> <b>Issue of permits</b></p>	<p>1. Member States shall require any establishment or undertaking intending to carry out waste treatment to obtain a permit from the competent authority. Such permits shall specify at least the following: (a) the types and quantities of waste that may be treated; (b) for each type of operation permitted, the technical and any other requirements relevant to the site concerned; (c) the safety and precautionary measures to be taken; (d) the method to be used for each type of operation; (e) such monitoring and control operations as may be necessary; (f) such closure and after-care provisions as may be necessary.</p>	-	-	<p><b>Article 67</b> <b>Environmental Permits for Integrated Waste Management Operations</b></p> <p>Natural or legal persons who intend to carry out integrated waste management operations shall obtain an environmental permit in accordance with Law No. 10 448, dated 14.7.2011 "On Environmental Permits."</p> <p>The application for an environmental permit shall include at least the following information:</p> <p>a) the business address, the address of the headquarters, and the taxpayer identification number (NIPT);</p> <p>b) the location of the waste treatment plant;</p> <p>c) the type, code, quantity, and origin of the waste to be treated;</p> <p>ç) the waste treatment operations for which the environmental permit is requested, and the respective codes;</p> <p>d) the methods and technology used;</p> <p>dh) the facilities and installations used, as well as their capacities;</p> <p>e) safety measures and preventive measures.</p> <p>Environmental permits issued for carrying out the operations provided in this law, in addition to the requirements of Law No. 10 448, dated 14.7.2011 "On Environmental Permits" and the secondary legislation adopted based on</p>	Full	<p>The article of the draft law contains the same provision as Article 23 of Directive 2008/98/EC</p>
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				<p>this law, shall also include the following elements:</p> <p>a) the location of the waste treatment plant;</p> <p>b) the type, code, quantity, and origin of the waste to be treated;</p> <p>c) the waste treatment operations;</p> <p>ç) for each type of operation included in the permit, the technical requirements and requirements related to the specific location;</p> <p>d) the methods and technology used;</p> <p>dh) safety measures and preventive measures;</p> <p>e) the methodology of the activity used for each operation;</p> <p>ë) necessary monitoring and control operations;</p> <p>f) provisions for closure and subsequent care, as applicable.</p>		
23 (2)	2. Permits may be granted for a specified period and may be renewable.	-	-	-	Full	The draft law on integrated waste management does not include such a provision because this matter is regulated by the Environmental Permit Law, which is fully in compliance with this aspect of the directive.
23 (3)	3. Where the competent authority considers that the intended method of treatment is unacceptable from the point of view of environmental protection, in particular when the method is not in accordance with Article 13, it shall refuse to issue the permit.	-	-	<p><b>Article 67</b></p> <p><b>Environmental Permits for Integrated Waste Management Operations</b></p>	Full	The article of the draft law contains the same provision as Article 23(3) of Directive 2008/98/EC.

				5. The conditions of the environmental permit must ensure that the waste treatment methodology is not unacceptable from the environmental protection standpoint and that this methodology does not violate the principles of Article 5 of this law.		
23 (4)	4. It shall be a condition of any permit covering incineration or co-incineration with energy recovery that the recovery of energy take place with a high level of energy efficiency.	Draft Law	67 (4)	Article 67  Environmental Permits for Integrated Waste Management Operations  4. The environmental permit for the incineration or co-incineration of waste, accompanied by energy recovery, shall include the condition that energy recovery is carried out with high energy efficiency.	Full	The article of the draft law contains the same provision as Article 23(4) of Directive 2008/98/EC.
23 (5)	5. Provided that the requirements of this Article are complied with, any permit produced pursuant to other national or Community legislation may be combined with the permit required under paragraph 1 to form a single permit, where such a format obviates the unnecessary duplication of information and the repetition of work by the operator or the competent authority.	-	-	-	Non-Compliant	Due to the non-compliance with paragraph 1 of Article 25 of Directive 2008/98/EC on waste, this provision is also not in compliance.
Article 24 <b>Exemptions from permit requirements</b>	Member States may exempt from the requirement laid down in Article 23(1) establishments or undertakings for the following operations: (a) disposal of their own non-hazardous waste at the place of production; or (b) recovery of waste.	-	-	-	-	The draft law does not foresee the exceptions outlined in Article 24 of Directive 2008/98/EC on waste. However, these exceptions are not mandatory but discretionary for the states, so this cannot be considered a non-compliance.
Article 25 <b>Conditions for exemptions</b>	1. Where a Member State wishes to allow exemptions, as provided for in Article 24, it shall lay down, in respect of each type of activity, general rules specifying the types and quantities of waste that may be covered by an exemption, and the method of treatment to be used.  Those rules shall be designed to ensure that waste is treated in accordance with Article 13. In the case of disposal	N/A	N/A	N/A	N/A	N/A

	operations referred to in point (a) of Article 24 those rules should consider best available techniques.					
25 (2)	2. In addition to the general rules provided for in paragraph 1, Member States shall lay down specific conditions for exemptions relating to hazardous waste, including types of activity, as well as any other necessary requirement for carrying out different forms of recovery and, where relevant, the limit values for the content of hazardous substances in the waste as well as the emission limit values.	N/A	N/A	N/A	N/A	N/A
25 (3)	3. Member States shall inform the Commission of the general rules laid down pursuant to paragraphs 1 and 2.	N/A	N/A	N/A	N/A	N/A
<i>Article 26 Registration</i>	Where the following are not subject to permit requirements, Member States shall ensure that the competent authority keeps a register of:  (a) establishments or undertakings which collect or transport waste on a professional basis;	-	-	-	Full	The draft law on integrated waste management does not contain such a provision because this issue is regulated by the specific legislation on licensing.  According to this legislation, waste collection and transport activities are subject to licensing, and as a result, they are required to be registered with the competent authorities. Therefore, compliance is complete.
26 (b)	(b) dealers or brokers; and	<i>Draft Law</i>	68 (1)	<b>Article 68</b> <b>Licensing of Activities for Integrated Waste Management</b> 2. The collection, transportation, storage, recycling, processing, disposal, trading, or brokerage of waste shall be carried out by persons who hold a license for expert and/or professional services related to environmental impact, with the code III.2.B.	Full	According to the draft law, waste agents and traders are subject to licensing and, as a result, are registered with the competent authorities.
26 (c)	(c) establishments or undertakings which are subject to exemptions from the permit requirements pursuant to Article 24. Where possible, existing records held by the competent authority shall be used to obtain the relevant information for this registration process in order to reduce the administrative burden	N/A	N/A	N/A	N/A	This provision does not apply due to the non-implementation of Article 24 of Directive 2008/98/EC on waste, as mentioned above.
<i>Article 27 Minimum standards (1)</i>	1. The Commission shall adopt delegated acts in accordance with Article 38a in order to supplement this Directive by setting out technical minimum standards for	N/A	N/A	N/A	N/A	N/A



	treatment activities, including for sorting and recycling of waste, which require a permit pursuant to Article 23 where there is evidence that a benefit in terms of the protection of human health and the environment would be gained from such minimum standards.					
27 (2)	2. Such minimum standards shall cover only those waste treatment activities that are not covered by Directive 96/61/EC or are not appropriate for coverage by that Directive.	N/A	N/A	N/A	N/A	N/A
27 (3)	3. Such minimum standards shall: (a) be directed to the main environmental impacts of the waste treatment activity; (b) ensure that the waste is treated in accordance with Article 13; (c) take into account best available techniques; and (d) as appropriate, include elements regarding the quality of treatment and the process requirements.	<i>Draft Law</i>	46	<p>Article 46</p> <p><b>Minimum Technical Standards</b></p> <p>1. The Council of Ministers, upon the proposal of the minister, approves regulations that define the minimum technical standards for all actors involved in integrated waste management, including transportation, collection, treatment operations, trading, and brokering.</p> <p>2. The minimum technical standards, established according to paragraph 1 of this article:</p> <p>a) regulate the main environmental impacts caused by waste treatment plants;</p> <p>b) ensure that waste is treated in accordance with this law, and specifically with Article 5 of it;</p> <p>c) take into account the best available techniques;</p> <p>ç) where appropriate, include elements related to the quality of treatment and process requirements.</p>	Full	Although Article 27(3) of Directive 2008/98/EC on waste refers to the minimum technical standards that the Commission will adopt in the implementation of the directive, this provision has been considered useful for Albanian legislation and has been included in the draft law on integrated waste management. In this way, the legal authorization is provided for adopting sub-legal acts that contain the minimum technical standards in line with the acts that will be adopted subsequently by the Commission.
27 (4)	4. The Commission shall adopt delegated acts in accordance with Article 38a in order to supplement this Directive by setting out the minimum standards for	N/A	N/A	N/A	N/A	N/A

	activities that require registration pursuant to points (a) and (b) of Article 26 where there is evidence that a benefit in terms of the protection of human health and the environment or in avoiding disruption to the internal market would be gained from such minimum standards.					
<i>Article 28</i> <b>Waste management plans</b> <i>(1)</i>	<p>1. Member States shall ensure that their competent authorities establish, in accordance with Articles 1, 4, 13 and 16, one or more waste management plans.</p> <p>Those plans shall, alone or in combination, cover the entire geographical territory of the Member State concerned.</p>	<i>Draft Law</i>	62 (1)	<p><b>Article 62</b> <b>National Strategy and Action Plan for Integrated Waste Management</b></p> <p>1. The Ministry shall develop the National Strategy and Action Plan for Integrated Waste Management, hereinafter the National Strategy, which shall include at least:</p> <p>a) analysis of the current situation of integrated waste management throughout the territory of the Republic of Albania;</p> <p>b) organization and functioning of the existing waste management zones, any planning regarding their changes, as well as a description of the integrated waste management network in the territory of each waste management zone;</p> <p>c) measures to be taken to improve the preparation for reuse, recycling, recovery, and disposal of waste without affecting the environment;</p> <p>ç) specific objectives in all areas of integrated waste management, as well as specific measures, activities, action plans, and timelines for achieving the objectives, in accordance with the requirements of this law, special legislation, and relevant sub-legal acts.</p> <p>2. Annex 4 of this law contains the mandatory specific elements that must be included in the National Strategy and non-mandatory elements that may be included, as appropriate.</p> <p>3. The Council of Ministers, upon the proposal of the Minister, approves the National Strategy.</p>	Full	According to Article 62 of the draft law, a national strategy for integrated waste management is developed. Being a national strategy, it covers the entire territory of the Republic of Albania, thus complying with the requirement of Article 28(1) of Directive 2008/98/EC on waste.

				5. The National Strategy shall be reviewed and, if necessary, updated every five years.		
28 (2)	2. The waste management plans shall set out an analysis of the current waste management situation in the geographical entity concerned, as well as the measures to be taken to improve environmentally sound preparing for re-use, recycling, recovery and disposal of waste and an evaluation of how the plan will support the implementation of the objectives and provisions of this Directive.	<i>Draft Law</i>	62 (1)	<p>Article 62</p> <p><b>National Strategy and Action Plan for Integrated Waste Management</b></p> <p>1. The Ministry develops the National Strategy and Action Plan for Integrated Waste Management, which includes at least:</p> <p>a) an analysis of the current situation of integrated waste management throughout the entire territory of the Republic of Albania;</p> <p>b) the organization and functioning of existing waste management areas, any planning related to their changes, and a description of the integrated waste management network in the territory of each waste management area;</p> <p>c) measures to be taken to improve preparation for reuse, recycling, recovery, and disposal of waste without impacting the environment;</p> <p>ç) specific objectives in all areas of integrated waste management, as well as specific measures, activities, action plans, and timelines for achieving the objectives, in compliance with the requirements of this law, special legislation, and relevant sub-legal acts.</p>	Full	In principle, the draft law has provided that the National Strategy must include all the elements mentioned in Article 28(2) of Directive 2008/98/EC on waste. Therefore, at a conceptual level, the compliance is considered complete. However, compliance should be reassessed concretely after the approval of the National Strategy.

28 (3)(a)	3. The waste management plans shall contain, as appropriate and taking into account the geographical level and coverage of the planning area, at least the following: (a) the type, quantity and source of waste generated within the territory, the waste likely to be shipped from or to the national territory, and an evaluation of the development of waste streams in the future;	<i>Draft Law</i>	<i>Annex 4 Section A Par. 1 (a)</i>	<p style="text-align: center;"><b>ANNEX 4</b></p> <p style="text-align: center;"><b>NATIONAL STRATEGY AND ACTION PLAN FOR INTEGRATED WASTE MANAGEMENT</b></p> <p><b>Part A</b></p> <p>1. The National Strategy contains the following elements: a) The type, quantity, and source of waste generated within the territory of the Republic of Albania, the waste that may be imported or exported, and an assessment of the future development of waste streams.</p>	Full	The requirement of Article 28(3)(a) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (3)(b)	(b) existing major disposal and recovery installations, including any special arrangements for waste oils, hazardous waste, waste containing significant amounts of critical raw materials, or waste streams addressed by specific Union legislation;	<i>Draft Law</i>	<i>Annex 4 Section A Par. 1 (b)</i>	<p>1. The National Strategy includes the following elements: b) Existing large recovery and disposal facilities, and all special systems for used oils, hazardous waste, waste containing significant amounts of rare materials, or other waste streams regulated by the applicable legislation and relevant by-laws.</p>	Full	The requirement of Article 28(3)(b) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (3)(c)	(c) an assessment of the need for closure of existing waste installations, and for additional waste installation infrastructure in accordance with Article 16.  Member States shall ensure that an assessment of the investments and other financial means, including for local authorities, required to meet those needs is carried out. This assessment shall be included in the relevant waste management plans or in other strategic documents covering the entire territory of the Member State concerned;	<i>Draft Law</i>	<i>Annex 4 Section A Par. 1 (c)</i>	c) The assessment of the need to close existing waste treatment facilities and to establish new waste treatment infrastructure, in accordance with the principles of self-sufficiency and proximity. In this context, an assessment is also carried out regarding the investments and other financial means necessary for the closure or construction of waste treatment facilities, including investments required by local government units.	Full	The requirement of Article 28(3)(c) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (3)(ca)	(ca) information on the measures to attain the objective laid down in Article 5(3a) of Directive 1999/31/EC or in other strategic documents covering the entire territory of the Member State concerned;	<i>Draft Law</i>	<i>Annex 4 Section A</i>	ç) The objectives of reuse, recycling, and recovery of waste, as well as the objectives for reducing waste disposal operations.	Partial	The requirement of Article 28(3)(ca) of Directive 2008/98/EC on waste relates to the objective that by 2030, waste suitable for recycling or other

			<i>Par. 1 (ç)</i>			recovery should not be sent to landfills. This element is not specifically foreseen as a mandatory requirement to be included in the National Strategy for Integrated Waste Management. However, the objectives of reuse, recycling, and recovery of waste, as well as the objectives for reducing disposal, are generally mentioned. Upon the adoption of the national strategy, it should be verified whether, in particular, the measures taken to reduce disposal operations are in compliance with Article 28(3)(ca) of Directive 2008/98/EC on waste.
28 (3)(cb)	(cb) an assessment of existing waste collection schemes, including the material and territorial coverage of separate collection and measures to improve its operation, of any derogations granted in accordance with Article 10(3), and of the need for new collection schemes;	<i>Draft Law</i>	<i>Annex 4 Section A Par. 1 (d)</i>	d) The assessment of existing waste collection schemes, including the territorial coverage of separate collection and the waste streams to which it applies, as well as measures to improve these operations, all exceptions applied under paragraph 3 of Article 11 of this law, and the assessment of the need for the establishment of new collection schemes.	Full	The requirement of Article 28(3)(cb) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (3)(d)	(d) sufficient information on the location criteria for site identification and on the capacity of future disposal or major recovery installations, if necessary;	<i>Draft Law</i>	<i>Annex 4 Section A Par. 1 (dh)</i>	dh) The requirement for sufficient information on the criteria used for identifying the location of the territory/area of the facilities and, where necessary, information on the capacity of disposal facilities or large recovery facilities planned to be established in the future has been envisaged as a mandatory element to be included in the National Strategy for Integrated Waste Management.	Full	The requirement of Article 28(3)(d) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (3)(e)	(e) general waste management policies, including planned waste management technologies and methods, or policies for waste posing specific management problems;	<i>Draft Law</i>	<i>Annex 4 Part A Par. 1 (e)</i>	e) General policies for integrated waste management, including the methods and technology planned to be used for integrated waste management, or integrated waste management policies that present specific management issues	Full	The requirement of Article 28(3)(e) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.

28 (3)(f)	(f) measures to combat and prevent all forms of littering and to clean up all types of litter;	Draft Law	Annex 4 Part A Par. 1 (ë)	ë) Measures to combat and prevent all forms of illegal waste dumping in the environment and to clean up all types of waste discarded in the environment.	Full	The requirement of Article 28(3)(f) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (3)(g)	(g) appropriate qualitative or quantitative indicators and targets, including on the quantity of generated waste and its treatment and on municipal waste that is disposed of or subject to energy recovery.	Draft Law	Annex 4 Part A Par. 1 (g)	f) Appropriate quantitative or qualitative indicators and objectives, including indicators and objectives regarding the amount of waste and its treatment, as well as the amount of municipal waste that is disposed of or is subject to energy recovery.	Full	The requirement of Article 28(3)(g) of Directive 2008/98/EC on waste is foreseen as a mandatory element that must be included in the National Strategy for Integrated Waste Management.
28 (4)(a)	4. The waste management plan may contain, taking into account the geographical level and coverage of the planning area, the following:  (a) organisational aspects related to waste management including a description of the allocation of responsibilities between public and private actors carrying out the waste management;	Draft Law	Annex 4, Part B (a)	<b>ANNEX 4 NATIONAL STRATEGY AND ACTION PLAN FOR INTEGRATED WASTE MANAGEMENT</b>  <b>Part B</b>  The National Strategy may include:  a) Organizational aspects related to integrated waste management, including the description of the division of responsibilities between public and private sector actors involved in integrated waste management.	Full	Article 28(4) of Directive 2008/98/EC on waste lists the elements that member states may include in waste management plans, but which are not mandatory. Similarly, Annex of the Albanian draft law, in Part B, foresees non-mandatory elements that may be included in the National Strategy for Integrated Waste Management.  The requirement of Article 28(4)(a) of Directive 2008/98/EC on waste is foreseen as an element that may be included in the National Strategy for Integrated Waste Management
28 (4)(b)	(b) an evaluation of the usefulness and suitability of the use of economic and other instruments in tackling various waste problems, taking into account the need to maintain the smooth functioning of the internal market;	Draft Law	Annex 4, Part B (b)	b) The assessment of the usefulness and suitability of using economic instruments and other instruments to address various issues in the field of waste, considering the need for the normal functioning of the market in the territory of the Republic of Albania.	Full	The requirement of Article 28(4)(b) of Directive 2008/98/EC on waste is foreseen as an element that may be included in the National Strategy for Integrated Waste Management.
28 (4)(c)	(c) the use of awareness campaigns and information provision directed at the general public or at a specific set of consumers;	Draft Law	Annex 4, Part B (c)	c) The use of awareness campaigns and the provision of information to the general public or specific consumer categories	Full	The requirement of Article 28(4)(c) of Directive 2008/98/EC on waste is foreseen as an element that may be included in the National Strategy for Integrated Waste Management.
28 (4)(d)	(d) historical contaminated waste disposal sites and measures for their rehabilitation.	Draft Law	Annex 4, Part B (ç)	ç) Sites/areas for waste disposal that are historically contaminated and the measures for their rehabilitation.	Full	The requirement of Article 28(4)(d) of Directive 2008/98/EC on waste is foreseen as an element that may be

						included in the National Strategy for Integrated Waste Management.
28 (5)	5. Waste management plans shall conform to the waste planning requirements laid down in Article 14 of Directive 94/62/EC, to the targets laid down in Article 11(2) and (3) of this Directive and to the requirements laid down in Article 5 of Directive 1999/31/EC, and for the purposes of litter prevention, to the requirements laid down in Article 13 of Directive 2008/56/EC of the European Parliament and of the Council <sup>2</sup> and Article 11 of Directive 2000/60/EC of the European Parliament and of the Council <sup>3</sup> .	Draft Law	Annex 4 Part A  Par. 2 Par. 4 Par. 5	<b>Pjesa A</b>  1. The National Strategy contains the following elements:  2. The National Strategy includes a special chapter on the management of packaging and packaging waste, which defines:  a) Specific measures for preventing the creation of waste from packaging and for reducing the environmental impact of packaging, including the use of economic instruments and other measures provided in Article 28 of this law for the implementation of the waste hierarchy;  b) Measures for reducing the consumption of lightweight carrier bags, such as setting national objectives for reducing them, economic instruments, and restrictions on their trade, provided these restrictions are proportional and non-discriminatory;  c) Measures to encourage the market introduction of larger quantities of packaging that can be reused and systems for the reuse of packaging, in accordance with the waste hierarchy, taking care of environmental impact without compromising food safety or consumer safety. These measures may include, among others, deposit-return schemes for packaging, setting	Partial	In accordance with the requirements of Article 14 of Directive 94/62/EC, as referred to in Article 28(5) of Directive 2008/98/EC on waste, the National Strategy for Integrated Waste Management provides, as a mandatory element, a dedicated chapter on the management of packaging and packaging waste, in which the elements foreseen by Directive 94/62/EC are defined.  The National Strategy for Integrated Waste Management includes, as a mandatory element, a dedicated chapter defining the national objectives for preparing for the reuse and recycling of municipal waste and non-hazardous construction waste, as required by Articles 11(2) and (3) of Directive 2008/98/EC on waste. The concrete compliance of the objectives must be assessed upon adoption of the national strategy.  The National Strategy for Integrated Waste Management includes, as a mandatory element, a dedicated chapter that defines the national strategy for reducing the landfilling of biodegradable municipal waste and waste, particularly municipal waste, suitable for recycling or other recovery, as required by Article 5 of Directive 1999/31/EC, as referred to in Article 28(5) of Directive 2008/98/EC on waste. The concrete compliance of the objectives must be

<sup>2</sup> Directive 2008/56/EC of the European Parliament and of the Council of June 17, 2008, establishing a framework for Union action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19)

<sup>3</sup> Directive 2000/60/EC of the European Parliament and of the Council of October 23, 2000, establishing a framework for Union action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

			<p>qualitative or quantitative objectives, economic incentives, establishing an annual obligation to place a minimum percentage of reusable packaging on the market for each type of packaging stream;</p> <p>ç) National objectives for the recovery and recycling of various packaging streams;</p> <p>4. The National Strategy includes a special chapter that sets national objectives for preparing for reuse and recycling of municipal waste and non-hazardous construction waste.</p> <p>5. The National Strategy includes a special chapter that defines the national strategy for reducing landfill disposal of biodegradable municipal waste and waste, particularly municipal waste suitable for recycling or other forms of recovery. This includes national objectives for reducing landfill disposal of the above-mentioned waste and measures for achieving these objectives, such as recycling, composting, biogas production, or material/energy recovery</p>	<p>assessed upon adoption of the national strategy.</p> <p>The National Strategy for Integrated Waste Management does not include provisions regarding the management of marine waters, as required by Article 13 of Directive 2008/56/EC. The National Strategy for Integrated Water Resources Management is foreseen to be a separate and distinct strategy from the National Strategy for Integrated Waste Management. According to available research, this strategy has not yet been adopted. Upon its adoption, it must be assessed whether the measures set out in that strategy comply with the requirements of Article 13 of Directive 2008/56/EC, as referred to in Article 28(5) of Directive 2008/98/EC on waste.</p> <p>The National Strategy for Integrated Waste Management does not include provisions regarding water management, as required by Article 11 of Directive 2000/60/EC. The National Strategy for Integrated Water Resources Management is foreseen to be a separate and distinct strategy from the National Strategy for Integrated Waste Management. According to available research, this strategy has not yet been adopted. Upon its adoption, it must be assessed whether the measures provided in that strategy are in compliance with the requirements of Article 11 of Directive 2000/60/EC, as referred to in Article 28(5) of Directive 2008/98/EC on waste</p>
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<p><i>Article 29</i> <b>Waste prevention programmes</b> <i>(1)</i></p>	<p>1. Member States shall establish waste prevention programmes setting out at least the waste prevention measures as laid down in Article 9(1) in accordance with Articles 1 and 4.</p> <p>Such programmes shall be integrated either into the waste management plans required under Article 28 or into other environmental policy programmes, as appropriate, or shall function as separate programmes.</p> <p>If any such programme is integrated into the waste management plan or into those other programmes, the waste prevention objectives and measures shall be clearly identified.</p>	<p><i>Draft Law</i></p>	<p>10, 66</p>	<p><b>Article 10</b> <b>Waste Prevention</b></p> <p>1. Waste prevention is carried out through the measures provided in the National Waste Prevention Program, which is approved by Decision of the Council of Ministers upon the proposal of the minister responsible for the environment, in accordance with the provisions of Article 66 of this law.</p> <p>2. Measures for waste prevention at the sectoral, regional, or local level are also foreseen, as applicable, in the sectoral, regional, or local plans for integrated waste management provided in Articles 63–65 of this law. In all cases, these measures shall be in accordance with those outlined in the National Waste Prevention Program and with the provisions of this law.</p> <p><b>Article 66</b> <b>Programs for Preventing Waste Generation</b></p> <p>1. The National Waste Prevention Program defines national policies for waste prevention within the territory of the Republic of Albania, with the aim of ensuring that economic growth is not accompanied by negative environmental impacts from the waste generated.</p> <p>2. The National Waste Prevention Program includes waste prevention objectives and the measures for achieving them, in accordance with Annex 5 of this law.</p>	<p>Partial</p>	<p>The draft law on integrated waste management foresees the existence of a National Waste Prevention Program as an integral part of the National Strategy for Integrated Waste Management. However, the draft law on integrated waste management does not foresee the measures mentioned in Article 9(1) of Directive 2008/98/EC on waste as elements that must be included in the National Waste Prevention Program. Therefore, until the adoption of the National Waste Prevention Program that will include all the measures mentioned in the directive, compliance is considered partial.</p>
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				<p>3. The Ministry prepares the National Waste Prevention Program, in cooperation with line ministries and municipalities, in alignment with the objectives and principles of environmental protection.</p> <p>4. The National Waste Prevention Program is an integral part of the National Strategy for Integrated Waste Management, as an annex to it, and is approved by a decision of the Council of Ministers upon the proposal of the Minister.</p>		
29 (2)	<p>2. When establishing such programmes, Member States shall, where relevant, describe the contribution of instruments and measures listed in Annex IVa to waste prevention and shall evaluate the usefulness of the examples of measures indicated in Annex IV or other appropriate measures. The programmes shall also describe existing waste prevention measures and their contribution to waste prevention.</p> <p>The aim of such objectives and measures shall be to break the link between economic growth and the environmental impacts associated with the generation of waste.</p>	Draft Law	Annex 5	<p><b>ANNEX 5</b></p> <p><b>EXAMPLES OF WASTE PREVENTION MEASURES</b></p> <p><b>Measures that may affect the general conditions related to waste generation:</b></p> <p>1. Use of planning measures or other economic instruments that promote efficient use of resources.</p> <p>2. Promotion of research and development activities aimed at producing cleaner products and technologies that generate less waste, as well as dissemination and use of the results of such R&amp;D activities.</p> <p>3. Development of meaningful and effective indicators of the pressure waste generation exerts on the environment, in order to contribute to waste prevention at all levels—ranging from national product comparisons to local authority actions and national-level measures.</p>	Partial	<p>Annex IV, referred to in Article 29(2) of Directive 2008/98/EC on waste, contains a number of examples of measures that may be taken or instruments that may be used by Member States to promote waste prevention. These measures are not mandatory, but rather indicative. Annex 5 of the draft law on integrated waste management includes all the indicative measures listed in Annex IV of Directive 2008/98/EC on waste.</p> <p>The draft law on integrated waste management does not define a minimum content for the National Waste Prevention Program, unlike the case of the National Strategy for Integrated Waste Management, where certain mandatory elements are specified. For example, it does not include an obligation for the Waste Prevention Program to describe existing waste prevention measures. Therefore, compliance assessment should be re-evaluated once the National Waste Prevention Program is approved.</p>

			<p><b>Measures that may affect the design, production, and distribution phases:</b></p> <p>4. Promotion of eco-design (systematic integration of environmental aspects into product design to improve environmental performance throughout the product's life cycle).</p> <p>5. Providing information on waste prevention techniques aimed at facilitating the implementation of best available techniques for each industry.</p> <p>6. Organizing training for relevant authorities to instruct on how to incorporate waste prevention requirements into Type A Environmental Permits under the law on environmental permits.</p> <p>7. Including waste prevention measures in facilities requiring Type A or B Environmental Permits under the law on environmental permits. Where appropriate, such measures may include waste prevention plans or assessments.</p> <p>8. Use of awareness campaigns or provision of financial support, decision-making assistance, or other support to businesses. These measures may be particularly effective when they focus on and are tailored to small and medium-sized enterprises (SMEs) and operate through established business networks.</p> <p>9. Use of voluntary agreements, consumer and producer groups/committees, or sectoral negotiations to encourage businesses or relevant industrial sectors to develop their own waste prevention plans or</p>	
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			<p>targets, or to modify products or packaging that generate excessive waste.</p> <p>10. Promotion of credible environmental management systems, including EMAS (Eco-Management and Audit Scheme) and ISO 14001.</p> <p><b>Measures that may affect the consumption and use phase:</b></p> <p>11. Economic instruments, such as incentives for purchasing cleaner products or mandatory charges to be paid by consumers for a product or packaging element that would otherwise be provided for free.</p> <p>12. Use of awareness campaigns and dissemination of information to the general public or to specific categories of consumers.</p> <p>13. Promotion of reliable eco-labels.</p> <p>14. Agreements with industry, such as the use of product groups/committees established under Integrated Product Policy or agreements with retailers on the availability of information about waste prevention and environmentally preferable products.</p> <p>15. In the context of public procurement or contracting of commercial companies, inclusion of environmental and waste prevention criteria as part of the tendering/procurement criteria and contract conditions.</p>		
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				16. Promotion of reuse and/or repair of discarded products or their components that are suitable for reuse and/or repair—especially through educational, economic, logistical, or other measures, such as supporting or establishing networks and accredited centers for repair and reuse, particularly in high population density areas		
29 (2a)	2a. Member States shall adopt specific food waste prevention programmes within their waste prevention programmes.	-	-	-	Non-Compliance	The draft Integrated Waste Management Law does not specify the minimum content of the national waste prevention program, unlike the case of the national integrated waste management strategy, where certain mandatory elements are defined. As a result, there is no obligation to include specific programs for the prevention of food waste. The compliance assessment should be revisited after the approval of the national waste prevention program.
29 (5)	5. The Commission shall create a system for sharing information on best practice regarding waste prevention and shall develop guidelines in order to assist the Member States in the preparation of the Programmes.	N/A	N/A	N/A	N/A	N/A
Article 30 <i>Evaluation and review of plans and programmes</i> (1)	1. Member States shall ensure that the waste management plans and waste prevention programmes are evaluated at least every sixth year and revised as appropriate and, where relevant, in accordance with Articles 9 and 11.	Draft Law	62 (3), (4)	Article 62  <b>National Strategy and Action Plan for Integrated Waste Management</b>  3. The Council of Ministers, upon the proposal of the Minister, approves the National Strategy. 4. The National Strategy shall be reviewed and, if necessary, updated every five years.	Full	The National Strategy for Integrated Waste Management and the National Waste Prevention Program, as an integral part of it, shall be reviewed every five years in accordance with the requirement of Article 30(1) of Directive 2008/98/EC on waste.

30 (2)	2. The European Environment Agency shall publish, every two years, a report containing a review of the progress made in the completion and implementation of waste prevention programmes, including an assessment of the evolution as regards the prevention of waste generation for each Member State and for the Union as a whole, and as regards the decoupling of waste generation from economic growth and the transition towards a circular economy.	N/A	N/A	N/A	N/A	N/A
Article 31 <b>Public participation</b>	Member States shall ensure that relevant stakeholders and authorities and the general public have the opportunity to participate in the elaboration of the waste management plans and waste prevention programmes, and have access to them once elaborated, in accordance with Directive 2003/35/EC or, if relevant, Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (1). They shall place the plans and programmes on a publicly available website.	Sectoral legislation	-	-	Full	<p>The draft law does not contain such a provision because the existing special Albanian legislation is fully in compliance with this provision of the directive, as explained in the analysis below.</p> <p>***</p> <p>Article 31 of Directive 2008/98/EC on waste sets out two main obligations: public participation during the development of waste management plans and programs, and public access to these documents after their development.</p> <p>The principles of the right to information and public participation in environmental decision-making are foreseen in the framework law for environmental protection (Article 13). The implementation of these principles is done through special legislation. Specifically, the law on strategic environmental assessment (Article 7) foresees public participation during the development of plans and programs with environmental impacts, including those related to waste management. It is worth mentioning that this law is fully aligned with Directive 2001/42/EC mentioned here.</p>

						Meanwhile, the law on public consultation (Articles 6 and 7) enables public participation after the drafting of draft acts and before their adoption, as well as their publication in the electronic public consultation register, which is easily accessible to all.
<i>Article 32</i> <b>Cooperation</b>	Member States shall cooperate as appropriate with the other Member States concerned and the Commission to draw up the waste management plans and the waste prevention programmes in accordance with Articles 28 and 29.	N/A	N/A	N/A	N/A	N/A
<i>Article 33</i> <b>Information to be submitted to the Commission</b>	1. Member States shall inform the Commission of the waste management plans and waste prevention programmes referred to in Articles 28 and 29, once adopted, and of any substantial revisions to the plans and programmes.	N/A	N/A	N/A	N/A	N/A
<i>33 (2)</i>	2. The Commission shall adopt implementing acts to establish the format for notifying the information on the adoption and substantial revisions of the waste management plans and the waste prevention programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2).	N/A	N/A	N/A	N/A	N/A
<i>Article 34</i> <b>Inspections</b> <i>(1)</i>	1. Establishments or undertakings which carry out waste treatment operations, establishments or undertakings which collect or transport waste on a professional basis, brokers and dealers, and establishments or undertakings which produce hazardous waste shall be subject to appropriate periodic inspections by the competent authorities.	<i>Draft Law</i>	<i>69 (1)</i>	<b>Article 69 Inspection</b>	Full	Article 69 (1) of the draft law on integrated waste management reflects Article 34 (1) of Directive 2008/98/EC on waste, providing for the obligation of inspection for entities that create hazardous and non-hazardous waste.
<i>34 (2)</i>	2. Inspections concerning collection and transport operations shall cover the origin, nature, quantity and destination of the waste collected and transported.	<i>Draft Law</i>	<i>69 (2)</i>	<b>Article 69 Inspection</b>	Full	Article 69(2) of the Draft Law on Integrated Waste Management reflects Article 34(2) of Directive 2008/98/EC on waste. However, the draft law expands the inspection obligation by stipulating that specific inspection elements will apply to all entities mentioned in paragraph 1, and not only to those entities

				integrated waste management by these entities.		involved in the collection and transportation of waste, as specified by the directive.
34 (3)	3. Member States may take account of registrations obtained under the Community Eco-Management and Audit Scheme (EMAS), in particular regarding the frequency and intensity of inspections.	N/A	N/A	N/A	N/A	N/A
Article 35 <b>Record keeping</b> (1)	1. The establishments and undertakings referred to in Article 23(1), the producers of hazardous waste, and the establishments and undertakings which collect or transport hazardous waste on a professional basis, or act as dealers and brokers of hazardous waste, shall keep a chronological record of: (a) the quantity, nature and origin of that waste and the quantity of products and materials resulting from preparing for re-use, recycling or other recovery operations; and (b) where relevant, the destination, frequency of collection, mode of transport and treatment method foreseen in respect of the waste.	Draft Law	70 (1)	Article 70 <b>Request for data retention</b>  1. Every person who carries out waste treatment as a professional activity, including producers of hazardous waste, entities that collect or transport hazardous waste, or act as traders and agents of hazardous waste, must maintain chronologically:  a) data on the quantity, type, and origin of the waste, as well as the quantity of products and materials resulting from preparation for reuse, recycling, or other recovery operations; b) where applicable, the destination, frequency of collection, method of transport, and treatment method foreseen according to the type of waste	Full	Article 70 of the draft law on integrated waste management fully complies with the requirements of Article 35 of Directive 2008/98/EC on waste.
35 (1) <i>Paragrafi 2</i>	They shall make that data available to the competent authorities through the electronic registry or registries to be established pursuant to paragraph 4 of this Article	Draft Law	70 (4)	Article 70 <b>Request for Data Retention</b> 4. The Environmental Protection Agency (NEA) creates an electronic register to maintain waste data as per paragraph 1 of this article, for the entire territory of the Republic of Albania. The persons specified in paragraph 2 above report waste data to the electronic register every 6 months.	Full	The obligation to report data every six months in the electronic register is in accordance with the provision of Article 35(1), paragraph 2 of Directive 2008/98/EC on waste.
35 (2)	2. For hazardous waste, the records shall be preserved for at least three years except in the case of establishments and undertakings transporting hazardous waste which must keep such records for at least 12 months.	Draft Law	70(3)	Article 70 <b>Request for Data Retention</b> 3. The individuals specified in paragraph 1 of this article must retain data on hazardous waste for at least 3 years and	Full	The draft law also provides for the obligation that data on hazardous waste be kept for at least 3 years.



				data on non-hazardous waste for at least 2 years.		
35 (2) Paragrafi 2	Documentary evidence that the management operations have been carried out shall be supplied at the request of the competent authorities or of a previous holder.	Draft Law	70 (5)	<p>Article 70 <b>Request for Data Retention</b></p> <p>5. The persons specified in paragraph 1 of this article shall make available to the National Environmental Agency, the responsible inspection authority in the field of the environment, or the previous holder of the waste, every 6 months, the documentation proving that the waste management operations have been carried out.</p>	Non-compliant	Article 35 (2), paragraph 2 of Directive 2008/98/EC on waste provides the obligation for any entity handling waste to submit to the competent authorities or the previous holder of the waste, the documents proving that the waste has been treated, whenever requested. Article 70 (5) of the draft law establishes this obligation as a requirement for periodic reporting.
35 (3)	3. Member States may require the producers of non-hazardous waste to comply with paragraphs 1 and 2.	Draft Law	70 (3), (5)	<p>Article 70 <b>Request for Data Retention</b></p> <p>1. Any person who carries out waste treatment as a professional activity, including producers of hazardous waste, entities that collect or transport hazardous waste, or act as traders and agents of hazardous waste, must keep the following records chronologically:</p> <p>a) Data on the quantity, type, and origin of the waste, as well as the quantity of products and materials resulting from preparation for reuse, recycling, or other recovery operations.</p> <p>b) Where applicable, the destination, frequency of collection, transportation method, and the intended treatment method for each type of waste.</p> <p>3. Persons referred to in paragraph 1 of this article must keep records of hazardous waste for at least 3 years and records of non-hazardous waste for at least 2 years.</p> <p>5. Persons referred to in paragraph 1 of this article must provide the National Environmental Agency, the responsible environmental inspection structure, or the previous holder of the waste, with documentation every 6 months to verify that the waste management operations have been carried out.</p>	Partial	Article 70, paragraphs 1 and 4 of the draft law are in line with Article 35(1) of Directive 2008/98/EC on waste. Due to the inconsistency of paragraph 6 of Article 70 of the draft law with Article 35(2) of Directive 2008/98/EC on waste, the compliance of this provision is partial.

35 (4)	4. Member States shall set up an electronic registry or coordinated registries to record the data on hazardous waste referred to in paragraph 1 covering the entire geographical territory of the Member State concerned. Member States may establish such registries for other waste streams, in particular for those waste streams for which targets are set in legislative acts of the Union. Member States shall use the data on waste reported by industrial operators in the European Pollutant Release and Transfer Register set up under Regulation (EC) No 166/2006 of the European Parliament and of the Council <sup>4</sup> .	Draft Law	70 (4), (6)	<p>Article 70 <b>Request for Data Retention</b></p> <p>4. The National Environment Agency (AKM) creates the electronic register to store waste data according to paragraph 1 of this article, for the entire territory of the Republic of Albania. The persons mentioned in paragraph 2 above report waste data to the electronic register every 6 months.</p> <p>6. The Council of Ministers, upon the proposal of the minister, approves the minimum criteria for the operation of electronic registers, as referred to in paragraph 4 of this article.</p>	Partial	The draft law on integrated waste management foresees the creation of such a register with the data required by Article 35 of Directive 2008/98/EC on waste, for the entire territory of Albania. However, until the approval of the decision by the Council of Ministers and the establishment of the system, compliance remains partial.
35 (5)	5. The Commission may adopt implementing acts to establish minimum conditions for the operation of such registries. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2).	N/A	N/A	N/A	N/A	N/A
<p>Article 36 <b>Implementation and Penalties</b> (1)</p>	1. Member States shall take the necessary measures to prohibit the abandonment, dumping or uncontrolled management of waste, including littering.	Draft Law	76	<p>Article 76 <b>Prohibitions</b></p> <p>The following are prohibited:</p> <p>a) The disposal, abandonment, depositing, or burial of all types of waste in public or private areas where such actions are not allowed by individuals;</p> <p>b) The disposal, abandonment, depositing, or burial of all types of waste in public or private areas where such actions are not permitted by persons conducting commercial activities without a permit, license, or authorization to carry out such activities;</p> <p>c) The burning of all types of waste in violation of this law and without the necessary licenses, permits, or authorizations;</p> <p>ç) The sending and acceptance of separately collected waste to landfills or</p>	Full	The draft law on integrated waste management provides for the prohibitions set out in Article 36(1) of Directive 2008/98/EC on waste.

<sup>4</sup> Regulation (EC) No. 166/2006 of the European Parliament and of the Council of January 18, 2006, concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006, p. 1).

				incineration/co-incineration plants when such waste is intended for preparation for reuse and/or recycling, except for waste generated from the treatment of separately collected waste, if incineration is the most appropriate (or only) solution in accordance with Article 5 of this law.		
36 (2)	2. Members States shall lay down provisions on the penalties applicable to infringements of the provisions of this Directive and shall take all measures necessary to ensure that they are implemented. The penalties shall be effective, proportionate and dissuasive.	Draft Law	77	<p>Article 77</p> <p><b>Administrative Violations</b></p> <p>The following violations, if they do not constitute a criminal offense, are considered administrative violations and are punished as follows:</p> <p>1. Any person who mixes waste in violation of Article 9, point 4, and Article 41 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>2. Any person who mixes separately collected waste in violation of Article 12, point 2, and Article 41 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>3. Any person who disposes of waste in violation of Article 14 of this law and in contravention of the minimum technical standards as per Article 46 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>4. Any waste producer or holder who, according to Article 16, paragraph 1, letter (a) of this law, treats the waste themselves in violation of the minimum technical standards as per Article 46 of this law shall be fined from 1 500 000</p>	Full	The draft law provides for a series of administrative offenses and measures that apply to violations of the provisions of the law as well as its enforcement rules. The administrative offenses are effective, proportionate, and have a deterrent effect, as required by the directive.

			<p>(one million five hundred thousand) to 3 000 000 (three million) ALL.</p> <p>5. Any waste producer or holder who delivers or transfers the waste to another person not authorized to accept or treat such waste, in violation of Article 16 of this law, shall be fined from 1 500 000 (one million five hundred thousand) to 3 000 000 (three million) ALL.</p> <p>6. Any licensed person who collects or transports waste and fails to deliver it to an appropriate treatment facility, in violation of Article 19 of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>7. Any waste producer or holder who collects waste in violation of the provisions of Article 31, point 4 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>8. Preliminary storage of waste prior to collection carried out in violation of Article 32 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>9. Any person operating a transfer station in violation of Article 33, point 4 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>10. Any licensed person who transfers non-hazardous waste or receives non-hazardous waste without possessing a valid waste transfer document that meets all the requirements set out in Article 39 of this law shall be fined from 3 000 000</p>		
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			<p>(three million) to 4 000 000 (four million) ALL.</p> <p>11. Any licensed person who transfers non-hazardous waste or receives non-hazardous waste that is not in compliance with the waste transfer document, in violation of Article 39 of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>12. Any person involved in the transfer of non-hazardous waste who fails to retain the required documentation, in accordance with Article 39 of this law, shall be fined from 1 000 000 (one million) to 2 000 000 (two million) ALL.</p> <p>13. Any person involved in the transfer of non-hazardous waste who does not make the documentation available to the relevant authorities, in accordance with Article 39 of this law, shall be fined from 1 000 000 (one million) to 2 000 000 (two million) ALL.</p> <p>14. Any person involved in the transfer of non-hazardous waste who fails to send information to the National Environmental Agency, in accordance with Article 39 of this law, shall be fined from 1 000 000 (one million) to 2 000 000 (two million) ALL.</p> <p>15. Failure to fulfill the obligations of municipalities as defined in Article 24 of this law renders the leaders of these units responsible, and they shall be fined from</p>		
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			<p>1 000 000 (one million) to 2 000 000 (two million) ALL.</p> <p>16. Unjustified failure by municipalities to comply with the obligation to sign the inter-municipal cooperation agreement defined in Article 26 of this law renders the municipal leaders responsible, and they shall be fined from 1 000 000 (one million) to 2 000 000 (two million) ALL.</p> <p>17. Any person who generates, collects, transports, stores, or treats hazardous waste in violation of Articles 40 and 46 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>18. Any licensed person who transports hazardous waste using vehicles that are not in compliance with Article 44 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>19. Any person who collects, transports, or stores hazardous waste that is not properly packaged or labeled, in accordance with Article 42 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>20. Any person who delivers or receives hazardous waste without a valid delivery document, in violation of Article 45 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>21. Any person who delivers or receives hazardous waste in a manner not in compliance with the delivery document,</p>		
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			<p>in violation of Article 45 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>22. Any person engaged in the delivery of hazardous waste who does not retain the documentation, in accordance with Article 45 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>23. Any person engaged in the delivery of hazardous waste who does not make the documentation available to the relevant authorities, in accordance with Article 45 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>24. Any person engaged in the delivery of hazardous waste who fails to send information to the National Environmental Agency, in accordance with Article 45 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>25. Any person who handles used oils without an environmental permit, in violation of Article 47 of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>26. Any person who handles used oils in violation of the provisions of the environmental permit, as defined in Article 47 of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>27. Any person who places packaging on the market in violation of the</p>		
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			<p>provisions of Article 49 of this law shall be fined from 1 500 000 (one million five hundred thousand) to 2 000 000 (two million) ALL.</p> <p>28. Any person engaged in the management of packaging waste that is prohibited from being placed on the market, according to Article 49 of this law, shall be fined from 1 500 000 (one million five hundred thousand) to 2 000 000 (two million) ALL.</p> <p>29. Any person who places on the market, produces, or imports into the territory of the Republic of Albania lightweight plastic carrier bags, as well as oxo-degradable plastic carrier bags, as defined in point 1 of Article 49 of this law, shall be fined 3 000 000 (three million) ALL and the prohibited plastic bags shall be seized. For every repeated violation, the fine increases by 1 000 000 (one million) ALL. After the second violation, in addition to the fine, the offender shall also be penalized with the revocation of the professional activity permit/license.</p> <p>30. Any person who disposes of or manages persistent organic pollutants in violation of Article 51 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>31. Any person who places batteries on the market in violation of Article 52 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p>		
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			<p>32. Any person who collects, treats, recycles, or disposes of battery waste in violation of Article 52 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>33. Any person who collects, treats, recycles, or recovers end-of-life vehicles and their components in violation of Article 53 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>34. Any person who places electrical and electronic equipment on the market in violation of Article 54 of this law shall be fined from 3 000 000 (three million) to 6 000 000 (six million) ALL.</p> <p>35. Any person who collects, disposes of, transports, or treats waste from electrical and electronic equipment in violation of Article 54 of this law shall be fined from 3 000 000 (three million) to 6 000 000 (six million) ALL.</p> <p>36. Any person who treats hospital waste in violation of Article 55 of this law shall be fined from 6 000 000 (six million) to 10 000 000 (ten million) ALL.</p> <p>37. Any person who eliminates or uses animal by-products in violation of Article 56 of this law shall be fined from 3 000 000 (three million) to 5 000 000 (five million) ALL.</p> <p>38. Any person engaged in the management of construction waste in violation of Article 57 of this law shall</p>		
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			<p>be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>39. Any person engaged in the management of waste from the titanium dioxide industry in violation of Article 58 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>40. Any person engaged in the management of waste from ships and their cargo in violation of Article 59 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>41. Any person who recycles used tires in violation of Article 60 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>42. Any person who burns tire waste in violation of Article 60 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>43. Any person who operates a landfill and disposes of waste that is not permitted to be treated in that landfill category, as defined in Article 34 of this law, shall be fined from 2 000 000 (two million) to 4 000 000 (four million) ALL.</p> <p>44. Any person who operates a landfill and disposes of untreated waste in the landfill in violation of Article 34 of this law shall be fined from 1 300 000 (one million three hundred thousand) to 1 950</p>		
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			<p>000 (one million nine hundred fifty thousand) ALL.</p> <p>45. Any person who operates a landfill and accepts waste that does not meet the landfill acceptance criteria, in violation of Article 34 of this law, shall be fined from 1 300 000 (one million three hundred thousand) to 1 950 000 (one million nine hundred fifty thousand) ALL.</p> <p>46. Any person who operates a landfill and accepts or disposes of excluded waste in violation of Article 35 of this law shall be fined from 2 000 000 (two million) to 3 000 000 (three million) ALL.</p> <p>47. Any person who operates a landfill in non-compliance with the environmental permit or in violation of Article 34 of this law shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>48. Any person who operates a landfill without a financial guarantee, in violation of Article 36 of this law, shall be fined from 1 500 000 (one million five hundred thousand) to 2 000 000 (two million) ALL.</p> <p>49. Any person who dilutes or mixes waste with the intention of meeting landfill acceptance criteria, in violation of Article 35, paragraph 4 of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>50. Any person who operates an incinerator and incinerates waste in</p>		
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			<p>violation of the environmental permit or in violation of Article 37 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>51. Any person who operates an incinerator and accepts separately collected waste for incineration in violation of Article 37, paragraph 2 of this law shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>52. Any person who imports waste into the Republic of Albania in violation of Article 72 of this law shall be fined from 10 000 000 (ten million) to 20 000 000 (twenty million) ALL.</p> <p>53. Any person who transits hazardous waste through the territory of the Republic of Albania in violation of Article 72 of this law shall be fined from 10 000 000 (ten million) to 20 000 000 (twenty million) ALL.</p> <p>54. Any person who transits non-hazardous waste through the territory of the Republic of Albania without authorization or in violation of the authorization, contrary to Article 73 of this law, shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>55. Any person who exports waste outside the territory of the Republic of Albania without authorization or in violation of the authorization, in breach of Article 74 of this law, shall be fined from 10 000 000 (ten million) to 20 000 000 (twenty million) ALL.</p>		
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			<p>56. Any person who carries out waste treatment as a professional activity without an environmental permit shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>57. Any person who carries out waste treatment activities in violation of the environmental permit shall be fined from 5 000 000 (five million) to 10 000 000 (ten million) ALL.</p> <p>58. Any person engaged in waste treatment as a professional activity who fails to maintain documents or fails to make them available to the relevant authorities, in violation of Article 70 of this law, shall be fined from 1 000 000 (one million) to 2 000 000 (two million) ALL.</p> <p>59. Any person who transports waste without a license or in violation of the license shall be fined from 3 000 000 (three million) to 5 000 000 (five million) ALL.</p> <p>60. Any person who engages in the activity of collecting, transporting, storing, recycling, processing, disposing, trading, or brokering waste without a license or in violation of the license, in breach of Article 68 of this law, shall be fined from 3 000 000 (three million) to 5 000 000 (five million) ALL.</p> <p>61. Any operator of an existing landfill site who does not meet the requirements of Article 80 of this law shall be fined from 1 300 000 (one million three</p>		
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			<p>hundred thousand) to 1 950 000 (one million nine hundred fifty thousand) ALL.</p> <p>62. Any individual who throws, abandons, deposits, or buries any kind of waste in public or non-public places where waste disposal or burial is not permitted, in violation of the prohibition set out in Article 77(a) of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>63. Any legal person who throws, abandons, deposits, or buries any kind of waste in public or non-public places where waste disposal or burial is not permitted, in violation of the prohibition set out in Article 77(b) of this law, shall be fined from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p> <p>64. The burning of waste, in violation of Article 76 of this law, is punishable by a fine:</p> <p>a) for violations committed by a legal person: from 3 000 000 (three million) to 4 000 000 (four million) ALL;</p> <p>b) for violations committed by a natural person: from 3 000 000 (three million) to 4 000 000 (four million) ALL.</p>		
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				<p>Article 78</p> <p><b>Administrative Measures</b></p> <p>1. Authorities, in cases of violation of the environmental permit, take the measures provided for in Law no. 10448, dated 14.7.2011 “On Environmental Permits.”</p> <p>2. When the violation of this law involves the use of a vehicle, the vehicle shall be confiscated by the relevant authorities, in accordance with the provisions of the applicable legislation on administrative offenses.</p> <p>3. The license for waste transport, as well as for waste traders and agents, shall be revoked by the Minister, upon the proposal of the inspector, when the conditions and rules set out in the respective environmental permit for conducting the activity are violated. In such cases, the Minister shall notify the National Business Center.</p> <p>4. The inspector, as required by the circumstances, shall take urgent measures in accordance with the law on inspection.</p> <p>Article 79</p> <p><b>Appeal and Execution</b></p> <p>1. An appeal may be filed against the inspector’s decision in accordance with the law on inspections.</p> <p>2. Appeals against decisions of other bodies, taken in implementation of this law, shall be made according to the Administrative Procedures Code and the applicable legislation.</p>		
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				<p>3. The fine imposed under Article 77 of this law constitutes an enforceable title after the exhaustion of administrative appeals, as defined in the Administrative Procedures Code. The fine must be paid within 10 calendar days from the date the offender is notified of the decision imposing the fine, which constitutes an enforceable title. In case of non-voluntary execution, enforcement shall be carried out by the bailiff's office, in accordance with the rules set out in the Civil Procedure Code and the law on administrative offenses.</p> <p>4. Revenues collected from fines and interest shall be deposited into the state budget.</p>		
<p><i>Article 37</i> <b>Reporting</b> <i>(1)</i></p>	<p>1. Member States shall report the data concerning the implementation of points (a) to (e) of Article 11(2) and Article 11(3) for each calendar year to the Commission.</p> <p>They shall report the data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 7 of this Article.</p> <p>The first reporting period shall start in the first full calendar year after the adoption of the implementing act that establishes the format for reporting, in accordance with paragraph 7 of this Article.</p>	N/A	N/A	N/A	N/A	N/A
<p>37 (2)</p>	<p>2. For the purposes of verifying compliance with point (b) of Article 11(2), Member States shall report the amount of waste used for backfilling and other material recovery operations separately from the amount of waste prepared for re-use or recycled. Member States shall report the reprocessing of waste into materials that are to be used for backfilling operations as backfilling.</p> <p>For the purposes of verifying compliance with points (c), (d) and (e) of Article 11(2) and Article 11(3), Member States shall report the amount of waste prepared for re-use separately from the amount of waste recycled.</p>	N/A	N/A	N/A	N/A	N/A



37 (3)	<p>3. Member States shall report the data concerning the implementation of Article 9(4) and (5) to the Commission every year.</p> <p>They shall report the data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 7 of this Article.</p> <p>The first reporting period shall start in the first full calendar year after the adoption of the implementing act that establishes the format for reporting, in accordance with paragraph 7 of this Article.</p>	N/A	N/A	N/A	N/A	N/A
37 (4)	<p>4. Member States shall report the data on mineral or synthetic lubrication or industrial oils placed on the market and waste oils separately collected and treated for each calendar year to the Commission.</p> <p>They shall report the data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 7.</p> <p>The first reporting period shall start in the first full calendar year after the adoption of the implementing act that establishes the format for reporting, in accordance with paragraph 7.</p>	N/A	N/A	N/A	N/A	N/A
37 (5)	<p>5. The data reported by Member States in accordance with this Article shall be accompanied by a quality check report and a report on the measures taken pursuant to Article 11a(3) and (8), including detailed information about the average loss rates where applicable. That information shall be reported in the format for reporting established by the Commission in accordance with paragraph 7 of this Article.</p>	N/A	N/A	N/A	N/A	N/A
37 (6)	<p>6. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review.</p> <p>The report shall assess the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data.</p> <p>The assessment may include specific recommendations for</p>	N/A	N/A	N/A	N/A	N/A

	improvement. The report shall be drawn up after the first reporting of the data by Member States and every four years thereafter.					
37 (7)	7. By 31 March 2019, the Commission shall adopt implementing acts laying down the format for reporting the data referred to in paragraphs 1, 3, 4 and 5 of this Article. For the purposes of reporting on the implementation of points (a) and (b) of Article 11(2), Member States shall use the format established in Commission Implementing Decision of 18 April 2012 establishing a questionnaire for Member States reports on the implementation of Directive 2008/98/EC of the European Parliament and of the Council on waste. For the purpose of reporting on food waste, the methodology developed under Article 9(8) shall be taken into account when developing the format for reporting. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 39(2) of this Directive.	N/A	N/A	N/A	N/A	N/A
<i>Article 38</i> <b>Exchange of information and sharing of best practices, interpretation and adaptation to technical progress</b> <i>(1)</i>	1. 1. The Commission shall organise a regular exchange of information and sharing of best practices among Member States, including, where appropriate, with regional and local authorities, on the practical implementation and enforcement of the requirements of this Directive, including on: (a) the application of the calculation rules set out in Article 11a and the development of measures and systems to trace municipal waste streams from sorting to recycling; (b) adequate governance, enforcement, cross-border cooperation; (c) innovation in the field of waste management; (d) national by-product and end-of-waste criteria, as referred to in Article 5(3) and in Article 6(3) and (4), facilitated by a Unionwide electronic register to be established by the Commission; (e) the economic instruments and other measures used in accordance with Article 4(3) in order to boost the achievement of the objectives laid down in that Article; (f) measures laid down in Article 8(1) and (2); (g) prevention and the setting up of systems which promote re-use activities and the extension of life span; (h) the implementation of the obligations with regard to separate collection; (i) the instruments and incentives towards achieving the targets laid down in points (c), (d) and (e) of Article 11(2).	N/A	N/A	N/A	N/A	N/A

	The Commission shall make the results of the exchange of information and sharing of best practices publicly available.					
38 (2)	<p>2. The Commission may develop guidelines for the interpretation of the requirements set out in this Directive, including on the definition of waste, prevention, re-use, preparing for re-use, recovery, recycling, disposal, and on the application of the calculation rules set out in Article 11a.</p> <p>The Commission shall develop guidelines on the definitions of municipal waste and backfilling.</p> <p>The Commission is empowered to adopt delegated acts in accordance with Article 38a to amend this Directive by specifying the application of the formula for incineration facilities referred to in point R1 of Annex II. Local climatic conditions may be taken into account, such as the severity of the cold and the need for heating insofar as they influence the amounts of energy that can technically be used or produced in the form of electricity, heating, cooling or processing steam. Local conditions of the outermost regions as recognised in the third paragraph of Article 349 of the Treaty on the Functioning of the European Union and of the territories mentioned in Article 25 of the 1985 Act of Accession may also be taken into account.</p>	N/A	N/A	N/A	N/A	N/A
38 (3)	3. The Commission is empowered to adopt delegated acts in accordance with Article 38a to amend Annexes IV and V in the light of scientific and technical progress.	N/A	N/A	N/A	N/A	N/A
<i>Article 38a Exercise of the delegation (1)</i>	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	N/A	N/A	N/A	N/A	N/A
38a (2)	2. The power to adopt delegated acts referred to in Articles 7(1), 9(8), 11a(10), 27(1), 27(4), 38(2) and 38(3) shall be conferred on the Commission for a period of five years from 4 July 2018. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	N/A	N/A	N/A	N/A	N/A
38a (3)	3. The delegation of power referred to in Articles 7(1), 9(8), 11a(10), 27(1), 27(4), 38(2) and 38(3) may be revoked at any time by the European Parliament or by the Council. A	N/A	N/A	N/A	N/A	N/A

	decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.					
38a (4)	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law Making (1).	N/A	N/A	N/A	N/A	N/A
38a (5)	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.					
38a (6)	6. A delegated act adopted pursuant to Articles 7(1), 9(8), 11a(10), 27(1), 27(4), 38(2) and 38(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	N/A	N/A	N/A	N/A	N/A
Article 39 <b>Committee procedure</b> (1)	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council (2).	N/A	N/A	N/A	N/A	N/A
39 (2)	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.	N/A	N/A	N/A	N/A	N/A
Article 40 <b>Transposition</b> (1)	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 12 December 2010. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	N/A	N/A	N/A	N/A	N/A

40 (2)	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	N/A	N/A	N/A	N/A	N/A
<i>Article 41</i> <b>Repeal and transitional provisions</b>	Directives 75/439/EEC, 91/689/EEC and 2006/12/EC are hereby repealed with effect from 12 December 2010. However, from 12 December 2008, the following shall apply: (a) Article 10(4) of Directive 75/439/EEC shall be replaced by the following: ‘4. The reference method of measurement to determine the PCB/PCT content of waste oils shall be fixed by the Commission. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(4) of Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste (*)	N/A	N/A	N/A	N/A	N/A
41 (b)	(b) Directive 91/689/EEC is hereby amended as follows: (i) Article 1(4) shall be replaced by the following: ‘4. For the purpose of this Directive “hazardous waste” means: — waste classified as hazardous waste featuring on the list established by Commission Decision 2000/532/EC (*) on the basis of Annexes I and II to this Directive. This waste must have one or more of the properties listed in Annex III. The list shall take into account the origin and composition of the waste and, where necessary, limit values of concentration. This list shall be periodically reviewed and, if necessary revised. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(4) of Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste (**)  — any other waste which is considered by a Member State to display any of the properties listed in Annex III. Such cases shall be notified to the Commission and reviewed with a view to adapting the list. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(4) of Directive 2006/12/EC	N/A	N/A	N/A	N/A	N/A

	(ii) Article 9 shall be replaced by the following: 'Article 9 The measures necessary for adapting the Annexes of this Directive to scientific and technical progress and for revising the list of wastes referred to in Article 1(4), designed to amend non-essential elements of this Directive, inter alia by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(4) of Directive 2006/12/EC.';					
41 (c)	(c) Directive 2006/12/EC is hereby amended as follows: (i) Article 1(2) shall be replaced by the following: '2. For the purposes of paragraph 1, point (a), Commission Decision 2000/532/EC (*) featuring the list of waste belonging to the categories listed in Annex I to this Directive shall apply. This list shall be periodically reviewed and, if necessary, revised. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(4)  (ii) Article 17 shall be replaced by the following: 'Article 17 The measures necessary for adapting the Annexes to scientific and technical progress, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(4)  (iii) Article 18(4) shall be replaced by the following: '4. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.'. References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table set out in Annex V	N/A	N/A	N/A	N/A	N/A
Article 42 <i>Entry into force</i>	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	N/A	N/A	N/A	N/A	N/A
Article 43 <i>Addressees</i>	This Directive is addressed to the Member States.	N/A	N/A	N/A	N/A	N/A

<p><b>ANNEX I DISPOSAL OPERATIONS</b></p>	<p>D 1 Deposit into or on to land (e.g. landfill, etc.) D 2 Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.) D 3 Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.) D 4 Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.) D 5 Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.) D 6 Release into a water body except seas/oceans D 7 Release to seas/oceans including sea-bed insertion D 8 Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 D 9 Physico-chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 (e.g. evaporation, drying, calcination, etc.) D 10 Incineration on land D 11 Incineration at sea (*) D 12 Permanent storage (e.g. emplacement of containers in a mine, etc.) D 13 Blending or mixing prior to submission to any of the operations numbered D 1 to D 12 (**) D 14 Repackaging prior to submission to any of the operations numbered D 1 to D 13 D 15 Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage, pending collection, on the site where the waste is produced) (***) (*) This operation is prohibited by EU legislation and international conventions. (**) If there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, inter alia, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12. (***) Temporary storage means preliminary storage according to point (10) of Article 3.</p>	<p><i>Draft Law</i></p>	<p><i>Annex I</i></p>	<p><b>ANNEX I DISPOSAL OPERATIONS<sup>5</sup></b></p> <p>D1 Underground or aboveground deposit (e.g., in landfills, etc.). D2 Land treatment (e.g., biodegradation of liquid discharges or sludges in soil, etc.). D3 Deep injection (e.g., pumping discharges into wells, salt mines, or places that are by nature suitable for waste disposal, etc.). D4 Surface impoundment, including placement of liquid waste or sludges into pits, ponds, or lagoons, etc. D5 Specially engineered landfills (e.g., placement into separate cells arranged sequentially, which are covered and isolated from each other and from the environment, etc.). D6 Discharge into a water body, excluding seas/oceans. D7 Discharge into seas/oceans, including placement/deposit into the seabed. D8 Biological treatment not specified elsewhere in this Annex, resulting in final compounds or mixtures which are discharged by any of the operations listed in D1 to D12. D9 Physico-chemical treatment not specified elsewhere in this Annex, resulting in final compounds or mixtures which are discharged by any of the operations listed in D1 to D12 (e.g., evaporation, drying, calcination, etc.). D10 Incineration on land. D11 Incineration at sea. D12 Permanent storage (e.g., placement of containers in a mine, etc.).</p>	<p>Partial</p>	<p>Annex 1 of the Albanian draft law includes all the activities foreseen in Annex I of Directive 2008/98/EC on waste. However, the technical clarifications that the directive includes with an asterisk, which are an integral part of it, are missing. For example, in activity D11, it is not specified that incineration at sea is prohibited. In activity D13, the directive again contains a technical explanation that is not reflected in the text of the law. The same applies to activity D15.</p>
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<sup>5</sup>Shtojca 1 ka efekt ilustrues.

				<p>D13 Blending or mixing prior to submission to any of the operations listed from D1 to D12.</p> <p>D14 Repackaging prior to submission to any of the operations listed from D1 to D13.</p> <p>D15 Storage pending any of the operations listed from D1 to D14 (excluding preliminary storage at the site where the waste is generated).</p>		
<p><b>ANNEX II RECOVERY OPERATIONS</b></p>	<p>R 1 Use principally as a fuel or other means to generate energy (*)</p> <p>R 2 Solvent reclamation/regeneration</p> <p>R 3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes) (**)</p> <p>R 4 Recycling/reclamation of metals and metal compounds (***)</p> <p>R 5 Recycling/reclamation of other inorganic materials (****)</p> <p>R 6 Regeneration of acids or bases</p> <p>-----</p> <p>(*) This includes incineration facilities dedicated to the processing of municipal solid waste only where their energy efficiency is equal to or above:</p> <p>— 0,60 for installations in operation and permitted in accordance with applicable Community legislation before 1 January 2009,</p> <p>— 0,65 for installations permitted after 31 December 2008, using the following formula:</p> <p>Energy efficiency = <math>(E_p - (E_f + E_i)) / (0,97 \times (E_w + E_f))</math></p> <p>In which:</p> <p><math>E_p</math> means annual energy produced as heat or electricity. It is calculated with energy in the form of electricity being multiplied by 2,6 and heat produced for commercial use multiplied by 1,1 (GJ/year)</p> <p><math>E_f</math> means annual energy input to the system from fuels contributing to the production of steam (GJ/year)</p> <p><math>E_w</math> means annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year)</p> <p><math>E_i</math> means annual energy imported excluding <math>E_w</math> and <math>E_f</math> (GJ/year)</p> <p>0,97 is a factor accounting for energy losses due to bottom ash and radiation.</p>	<p><i>Draft Law</i></p>	<p><i>Annex 2</i></p>	<p><b>ANNEX II RECOVERY OPERATIONS</b></p> <p>R 1: Use primarily as fuel or other methods for energy production. This includes incineration plants used for processing municipal solid waste only when the energy efficiency is equal to or greater than:</p> <p>0.60 for plants that are operational and have obtained an environmental permit in accordance with the applicable legislation before the entry into force of this law;</p> <p>0.65 for plants that have obtained an environmental permit in accordance with the applicable legislation after the entry into force of this law.</p> <p>Using the following formula: Energy efficiency = <math>(E_p - (E_f + E_i)) / (0.97 \times (E_w + E_f))</math></p> <p>Where:</p> <p><math>E_p</math> - is the annual energy produced as heat or electricity. It is calculated with energy in the form of electricity multiplied by 2.6 and heat produced for commercial use multiplied by 1.1 (GJ/year).</p>	<p>Partial</p>	<p>Annex 2 of the Albanian draft law includes all the activities provided in Annex II of Directive 2008/98/EC on waste. However, some of the technical clarifications that the directive places with an asterisk and which are an integral part of it are missing.</p>



	<p>This formula shall be applied in accordance with the reference document on Best Available Techniques for waste incineration.</p> <p>►M2 The energy efficiency formula value will be multiplied by a climate correction factor (CCF) as shown below:</p> <p>1. CCF for installations in operation and permitted in accordance with applicable Union legislation before 1 September 2015.</p> <p>CCF = 1 if HDD <math>\geq</math> 3 350</p> <p>CCF = 1,25 if HDD <math>\leq</math> 2 150</p> <p>CCF = <math>-(0,25/1\ 200) \times \text{HDD} + 1,698</math> when <math>2\ 150 &lt; \text{HDD} &lt; 3\ 350</math></p> <p>2. CCF for installations permitted after 31 August 2015 and for installations under 1 after 31 December 2029:</p> <p>CCF = 1 if HDD <math>\geq</math> 3 350</p> <p>CCF = 1,12 if HDD <math>\leq</math> 2 150</p> <p>CCF = <math>-(0,12/1\ 200) \times \text{HDD} + 1,335</math> when <math>2\ 150 &lt; \text{HDD} &lt; 3\ 350</math></p> <p>(The resulting value of CCF will be rounded at three decimal places).</p> <p>►C1 The value of HDD (Heating Degree Days) should be taken as the average of annual HDD values for the incineration facility location, calculated for a period of 20 consecutive years before the year for which CCF is calculated. For the calculation of the value of HDD the following method established by Eurostat should be applied: HDD is equal to <math>(18\ ^\circ\text{C} - T_m) \times d</math> if <math>T_m</math> is lower than or equal to <math>15\ ^\circ\text{C}</math> (heating threshold) and is nil if <math>T_m</math> is greater than <math>15\ ^\circ\text{C}</math>; where <math>T_m</math> is the mean <math>(T_{\min} + T_{\max})/2</math> outdoor temperature over a period of <math>d</math> days. Calculations are to be executed on a daily basis (<math>d = 1</math>), added up to a year. ◀ ◀</p> <p>(**) This includes preparing for re-use, gasification and pyrolysis using the components as chemicals and recovery of organic materials in the form of backfilling.</p> <p>(***) This includes preparing for re-use.</p> <p>(****) This includes preparing for re-use, recycling of inorganic construction materials, recovery of inorganic materials in the form of backfilling, and soil cleaning resulting in recovery of the soil.</p> <hr/> <p>R 7 Recovery of components used for pollution abatement</p>		<p>Ef - is the annual input of energy into the system from fuels contributing to steam production (GJ/year).</p> <p>Ew - is the annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year).</p> <p>Ei - is the annual imported energy excluding Ew and Ef (GJ/year).</p> <p>0.97 - is a factor that takes into account energy losses due to bottom ash and radiation.</p> <p>R 2: Recovery/recycling of solvents/diluents.</p> <p>R 3: Recycling/renewal of organic substances not used as solvents/diluents (including fertilizer mixtures and other biological transformation processes). This includes gasification and pyrolysis, which use these components as chemicals.</p> <p>R 4: Recycling/renewal of metals and their compounds.</p> <p>R 5: Recycling/renewal of other inorganic materials. This includes soil cleaning, resulting in the recovery of soil and recycling of inorganic construction materials.</p> <p>R 6: Renewal of acids or bases.</p> <p>R 7: Recovery of components used to combat pollution.</p> <p>R 8: Recovery of components of catalysts.</p> <p>R 9: Refining of petroleum or other reuses of petroleum.</p>		
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	<p>R 8 Recovery of components from catalysts</p> <p>R 9 Oil re-refining or other reuses of oil</p> <p>R 10 Land treatment resulting in benefit to agriculture or ecological improvement</p> <p>R 11 Use of waste obtained from any of the operations numbered R 1 to R 10 (*)</p> <p>R 12 Exchange of waste for submission to any of the operations numbered R 1 to R 11 (*)</p> <p>R 13 Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage, pending collection, on the site where the waste is produced) (**)</p> <p>(*) If there is no other R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, inter alia, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11.</p> <p>(**) Temporary storage means preliminary storage according to point (10) of Article 3.</p>			<p>R 10: Treatment of land resulting in benefits for agriculture or ecological improvement.</p> <p>R 11: Use of waste derived from any of the operations listed from R 1 to R 10.</p> <p>R 12: Exchange of waste to undergo any of the operations listed from R 1 to R 11.</p> <p>If there is no other appropriate R code, this can include preliminary operations before recovery, including pre-processing such as, inter alia, dismantling, separate collection, breaking/chopping, compacting, pelletizing, drying, grinding, softening, re-packaging, sorting, milling, or mixing before delivery to any of the operations numbered R1 to R11.</p> <p>R 13: Storage of waste awaiting any of the operations listed from R1 to R 12 (except for prior storage awaiting collection, at the place where the waste was generated).</p>		
<p><b>ANNEX III</b></p> <p><b>PROPERTIES OF WASTE WHICH RENDER IT HAZARDOUS</b></p>	<p><b>HP 1 ‘Explosive:’</b> waste which is capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings. Pyrotechnic waste, explosive organic peroxide waste and explosive self-reactive waste is included.</p> <p>When a waste contains one or more substances classified by one of the hazard class and category codes and hazard statement codes shown in Table 1, the waste shall be assessed for HP 1, where appropriate and proportionate, according to test methods. If the presence of a substance, a mixture or an article indicates that the waste is explosive, it shall be classified as hazardous by HP 1.</p> <p>Table 1: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents for the classification of wastes as hazardous by HP 1:</p>	Draft Law	Annex 3	<p><b>ANNEX III</b></p> <p><b>PROPERTIES OF WASTE WHICH RENDER IT HAZARDOUS</b></p> <p>HP 1 “Explosive”</p> <p>“Explosive”: Waste that, through a chemical reaction, can produce gas at a temperature and pressure such that it can cause damage to the environment. This includes pyrotechnic waste, organic peroxide explosive waste, and self-reactive explosive waste.</p> <p>When a waste contains one or more substances classified according to one of the hazard class and category codes and hazard statement codes shown in Table 1, the waste shall be assessed for HP 1, where appropriate and proportionate, according to test methods. If the presence of a substance, a mixture, or an article indicates that the waste is</p>	Partial	Annex 3 of the draft law contains all the elements/properties that make waste hazardous, as described in Annex III of Directive 2008/98/EC on waste. However, the directive is much more detailed, containing lengthy explanations and tables with specific risk classification codes

	<p><b>HP 2 ‘Oxidising:’</b> waste which may, generally by providing oxygen, cause or contribute to the combustion of other materials.</p> <p>When a waste contains one or more substances classified by one of the hazard class and category codes and hazard statement codes shown in Table 2, the waste shall be assessed for HP 2, where appropriate and proportionate, according to test methods. If the presence of a substance indicates that the waste is oxidising, it shall be classified as hazardous by HP 2.</p> <p>Table 2: Hazard Class and Category Code(s) and Hazard statement Code(s) for the classification of wastes as hazardous by HP 2:</p> <table><tr><th>Hazard Class and Category Code(s)</th><th>Hazard statement Code(s)</th></tr><tr><td>Ox. Gaz 1</td><td>H 270</td></tr><tr><td>Ox. Liq. 1</td><td rowspan="2">H 271</td></tr><tr><td>Ox. Sol. 1</td></tr><tr><td>Ox. Liq. 2, Ox. Liq. 3</td><td>H 272</td></tr></table>	Hazard Class and Category Code(s)	Hazard statement Code(s)	Ox. Gaz 1	H 270	Ox. Liq. 1	H 271	Ox. Sol. 1	Ox. Liq. 2, Ox. Liq. 3	H 272		<p>explosive, it shall be classified as hazardous by HP 1.</p> <p>HP 2 “Oxidising” “Oxidising”: Waste which, in general, by providing oxygen, can cause or contribute to the combustion of other materials.</p> <p>When a waste contains one or more substances classified according to one of the hazard class and category codes and hazard statement codes shown in Table 2, the waste shall be assessed for HP 2, where appropriate and proportionate, according to test methods. If the presence of a substance indicates that the waste is oxidising, it shall be classified as hazardous by HP 2.</p> <p>HP 3 “Flammable”</p> <p>Flammable liquid waste: liquid waste having a flash point below 60 °C or waste such as gas oil, diesel, and light heating oils having a flash point &gt; 55 °C and ≤ 75 °C;</p> <p>Flammable pyrophoric liquid and solid waste: solid or liquid waste which, even in small quantities, is liable to ignite within five minutes after coming into contact with air;</p> <p>Flammable solid waste: solid waste which is readily combustible or may cause or contribute to fire through friction;</p> <p>Flammable gaseous waste: gaseous waste which is flammable in air at 20 °C and a standard pressure of 101.3 kPa;</p> <p>Water-reactive waste: waste which, in contact with water, emits flammable gases in dangerous quantities;</p>	
Hazard Class and Category Code(s)	Hazard statement Code(s)												
Ox. Gaz 1	H 270												
Ox. Liq. 1	H 271												
Ox. Sol. 1													
Ox. Liq. 2, Ox. Liq. 3	H 272												

		Ox. Sol. 2, Ox. Sol. 3												
		<p><b>HP 3 ‘Flammable:’</b></p> <p>- flammable liquid waste: liquid waste having a flash point below 60 °C or waste gas oil, diesel and light heating oils having a flash point &gt; 55 °C and ≤ 75 °C;</p> <p>- flammable pyrophoric liquid and solid waste: solid or liquid waste which, even in small quantities, is liable to ignite within five minutes after coming into contact with air;</p> <p>- flammable solid waste: solid waste which is readily combustible or may cause or contribute to fire through friction;</p> <p>— flammable gaseous waste: gaseous waste which is flammable in air at 20 °C and a standard pressure of 101.3 kPa;</p> <p>— water reactive waste: waste which, in contact with water, emits flammable gases in dangerous quantities;</p> <p>— other flammable waste: flammable aerosols, flammable selfheating waste, flammable organic peroxides and flammable self-reactive waste.</p> <p>When a waste contains one or more substances classified by one of the following hazard class and category codes and hazard statement codes shown in Table 3, the waste shall be assessed, where appropriate and proportionate, according to test methods. If the presence of a substance indicates that the waste is flammable, it shall be classified as hazardous by HP 3..</p> <p>Table 3: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents for the classification of wastes as hazardous by HP 3:</p> <table><tr><th>Hazard Class and Category Code(s)</th><th>Hazard statement Code(s)</th></tr><tr><td>Flam. Gas 1</td><td>H220</td></tr><tr><td>Flam. Gas 2</td><td>H221</td></tr><tr><td>Aerosol 1</td><td>H222</td></tr></table>		Hazard Class and Category Code(s)	Hazard statement Code(s)	Flam. Gas 1	H220	Flam. Gas 2	H221	Aerosol 1	H222		<p>Other flammable waste: flammable aerosols, flammable self-heating waste, flammable organic peroxides, and flammable self-reactive waste.</p> <p>When a waste contains one or more substances classified by one of the hazard class and category codes and hazard statement codes shown in Table 3, the waste shall be assessed, where appropriate and proportionate, according to test methods. If the presence of a substance indicates that the waste is flammable, it shall be classified as hazardous by HP 3.</p> <p>Table 3: Hazard Class and Category Code(s) and Hazard Statement Code(s) for waste constituents for the classification of wastes as hazardous by HP 3.</p> <p>HP 4 ‘Irritant – skin irritation and eye damage’: Waste which, when applied, can cause skin irritation or damage to the eye.</p> <p>When a waste contains one or more substances in concentrations above the cut-off value, classified by one of the following hazard class and category codes and hazard statement codes, and one or more of the following concentration limits is exceeded or equaled, the waste shall be classified as hazardous by HP 4.</p> <p>The cut-off value for consideration in an assessment for Skin corr. 1A (H314), Skin irrit. 2 (H315), Eye dam. 1 (H318), and Eye irrit. 2 (H319) is 1%.</p> <p>If the sum of the concentrations of all substances classified as Skin corr. 1A (H314) exceeds or equals 1%, the waste shall be classified as hazardous by HP 4.</p>	
Hazard Class and Category Code(s)	Hazard statement Code(s)													
Flam. Gas 1	H220													
Flam. Gas 2	H221													
Aerosol 1	H222													

	<table><tr><td>Aerosol 2</td><td>H223</td></tr><tr><td>Flam. Liq. 1</td><td>H224</td></tr><tr><td>Flam. Liq.2</td><td>H225</td></tr><tr><td>Flam. Liq. 3</td><td>H226</td></tr><tr><td>Flam. Sol. 1</td><td>H228</td></tr><tr><td>Ndez. Sol. 2</td><td></td></tr><tr><td>Self-react. CD</td><td>H242</td></tr><tr><td>Self-react. EF</td><td></td></tr><tr><td>Org. Perox. CD</td><td></td></tr><tr><td>Org. Perox. EF</td><td></td></tr><tr><td>Pyr. Liq. 1</td><td>H250</td></tr><tr><td>Pyr Sol. 1</td><td></td></tr><tr><td>Self-heat. 1</td><td>H251</td></tr><tr><td>Self-heat. 2</td><td>H252</td></tr><tr><td>Water-react.. 1</td><td>H260</td></tr><tr><td>Water-react.. 2 Water-react. 3</td><td>H261</td></tr></table>	Aerosol 2	H223	Flam. Liq. 1	H224	Flam. Liq.2	H225	Flam. Liq. 3	H226	Flam. Sol. 1	H228	Ndez. Sol. 2		Self-react. CD	H242	Self-react. EF		Org. Perox. CD		Org. Perox. EF		Pyr. Liq. 1	H250	Pyr Sol. 1		Self-heat. 1	H251	Self-heat. 2	H252	Water-react.. 1	H260	Water-react.. 2 Water-react. 3	H261		<p>If the sum of the concentrations of all substances classified as H318 exceeds or equals 10%, the waste shall be classified as hazardous by HP 4.</p> <p>If the sum of the concentrations of all substances classified as H315 and H319 exceeds or equals 20%, the waste shall be classified as hazardous by HP 4.</p> <p>Note that wastes containing substances classified as H314 (Skin corr. 1A, 1B, or 1C) in amounts greater than or equal to 5% will be classified as hazardous by HP 8. HP 4 will not apply if the waste is classified as HP 8.</p> <p>HP 5 ‘Specific Target Organ Toxicity (STOT)/Aspiration Toxicity’:</p> <p>Waste that can cause specific target organ toxicity either from a single or repeated exposure, or which causes acute toxic effects following aspiration.</p> <p>When a waste contains one or more substances classified according to one or more of the hazard class and category codes and hazard statement codes shown in Table 4, and one or more of the concentration limits in Table 4 is exceeded or equalled, the waste shall be classified as hazardous by HP 5. When substances classified as STOT are present in a waste, an individual substance must be present at or above the concentration limit for the waste to be classified as hazardous by HP 5.</p> <p>When a waste contains one or more substances classified as Asp. Tox. 1 and the sum of those substances exceeds or equals the concentration limit, the waste shall be classified as hazardous by HP 5 only if the overall kinematic viscosity (at 40 °C) does not exceed 20.5 mm²/s. (1)</p> <p>Table 4: Hazard Class and Category Code(s) and Hazard Statement Code(s) for waste constituents and their corresponding concentration limits for</p>
Aerosol 2	H223																																		
Flam. Liq. 1	H224																																		
Flam. Liq.2	H225																																		
Flam. Liq. 3	H226																																		
Flam. Sol. 1	H228																																		
Ndez. Sol. 2																																			
Self-react. CD	H242																																		
Self-react. EF																																			
Org. Perox. CD																																			
Org. Perox. EF																																			
Pyr. Liq. 1	H250																																		
Pyr Sol. 1																																			
Self-heat. 1	H251																																		
Self-heat. 2	H252																																		
Water-react.. 1	H260																																		
Water-react.. 2 Water-react. 3	H261																																		

<p>If the sum of the concentrations of all substances classified as H318 exceeds or equals 10 %, the waste shall be classified as hazardous according to HP 4.</p> <p>If the sum of the concentrations of all substances classified H315 and H319 exceeds or equals 20 %, the waste shall be classified as hazardous according to HP 4.</p> <p>Note that wastes containing substances classified as H314 (Skin corr.1A, 1B or 1C) in amounts greater than or equal to 5 % will be classified as hazardous by HP 8. HP 4 will not apply if the waste is classified as HP 8.</p> <p><b>HP 5 ‘ Specific Target Organ Toxicity (STOT)/Aspiration Toxicity:’</b> waste which can cause specific target organ toxicity either from a single or repeated exposure, or which cause acute toxic effects following aspiration.</p> <p>When a waste contains one or more substances classified by one or more of the following hazard class and category codes and hazard statement codes shown in Table 4, and one or more of the concentration limits in Table 4 is exceeded or equalled, the waste shall be classified as hazardous according to HP 5. When substances classified as STOT are present in a waste, an individual substance has to be present at or above the concentration limit for the waste to be classified as hazardous by HP 5.</p> <p>When a waste contains one or more substances classified as Asp. Tox. 1 and the sum of those substances exceeds or equals the concentration limit, the waste shall be classified as hazardous by HP 5 only where the overall kinematic viscosity (at 40 °C) does not exceed 20.5 mm2 /s. <i>(1) Kinematic viscosity only applies to liquids.</i></p> <p>Table 4: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents and the corresponding concentration limits for the classification of wastes as hazardous by HP 5</p> <table><tr><th>Hazard Class and Category Code(s)</th><th>Hazard statement Code(s)</th><th>Concentration limit</th></tr></table>	Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit	<p>the classification of wastes as hazardous by HP 5.</p> <p>HP 6 ‘Acute Toxicity’: Waste that can cause acute toxic effects following oral or dermal administration, or exposure via inhalation.</p> <p>If the sum of the concentrations of all substances included in a waste, classified by an acute toxic hazard class and category code and the corresponding hazard statement code given in Table 5, exceeds or equals the threshold given in that table, the waste shall be classified as hazardous by HP 6. When more than one substance classified as acutely toxic is present in a waste, the sum of the concentrations is only required for substances within the same hazard category.</p> <p>The following cut-off values will be applied for consideration in an assessment:</p> <p>For Acute Tox. 1, 2, or 3 (H300, H310, H330, H301, H311, H331): 0.1%;</p> <p>For Acute Tox. 4 (H302, H312, H332): 1%.</p> <p>HP 7 ‘Carcinogenic’: Waste that causes cancer or increases its incidence.</p> <p>When a waste contains a substance classified according to one of the hazard class and category codes and hazard statement codes given in Table 6, and exceeds or equals one of the concentration limits shown in that table, the waste shall be classified as hazardous by HP 7. When more than one substance classified as carcinogenic is present in a waste, an individual substance must be present at or above</p>
Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit		

	STOT SE 1	H370	1 %			the concentration limit for the waste to be classified as hazardous by HP 7.		
	STOT SE 2	H371	10 %					
	STOT SE 3	H335	20 %					
	STOT RE 1	H372	1 %					
	STOT RE 2	H373	10 %					
	Asp. Tox. 1	H304	10 %					
	<b>HP 6 ‘Acute Toxicity:’</b> waste which can cause acute toxic effects following oral or dermal administration, or inhalation exposure. If the sum of the concentrations of all substances contained in a waste, classified with an acute toxic hazard class and category code and hazard statement code given in Table 5, exceeds or equals the threshold given in that table, the waste shall be classified as hazardous by HP 6. When more than one substance classified as acute toxic is present in a waste, the sum of the concentrations is required only for substances within the same hazard category. The following cut-off values shall apply for consideration in an assessment: — For Acute Tox. 1, 2 or 3 (H300, H310, H330, H301, H311, H331): 0.1 %; — For Acute Tox. 4 (H302, H312, H332): 1 %.							
	Table 5: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents and the corresponding concentration limits for the classification of wastes as hazardous by HP 6							
	<b>Hazard Class and Category Code(s)</b>	<b>Hazard statement Code(s)</b>	<b>Concentration limit</b>					
	Acute Tox 1 (Oral)	H300	0,1 %					
	Acute Tox. 2 (Oral)	H300	0,25 %					
	Acute Tox. 3 (Oral)	H301	5 %					
	Acute Tox 4	H302	25 %					
						HP 8 ‘Corrosive/Destructive’: Waste that, when applied, can cause corrosion of the skin. When a waste contains one or more substances classified as Skin corr. 1A, 1B, or 1C (H314), and the sum of their concentrations exceeds or equals 5%, the waste shall be classified as hazardous by HP 8. The cut-off value for consideration in an assessment for Skin corr. 1A, 1B, 1C (H314) is 1.0%.		
						HP 9 ‘Infective’: Waste that contains persistent microorganisms or their toxins, which are known or believed to cause disease in humans or other living organisms. Attribution of HP 9 shall be evaluated according to the rules set forth in the reference documents or legislation in the Member States.		
						HP 10 ‘Toxic for Reproduction’: Waste that has negative effects on sexual function and fertility in both male and female adults, as well as developmental toxicity in offspring. When a waste contains a substance classified according to one of the hazard class and category codes and hazard statement codes shown in Table 7, and exceeds or equals one of the concentration limits presented in that table, the waste shall be classified as hazardous by HP 10. When more than one substance classified as toxic for reproduction is present in a waste, an individual substance must be present at or above the concentration limit for the waste to be classified as hazardous by HP 10.		

	<table><tr><td>(Oral)</td><td></td><td></td></tr><tr><td>Acute Tox 1 (Dermal)</td><td>H310</td><td>0,25 %</td></tr><tr><td>Acute Tox. 2 (Dermal)</td><td>H310</td><td>2,5 %</td></tr><tr><td>Acute Tox. 3 (Dermal)</td><td>H311</td><td>15 %</td></tr><tr><td>Acute Tox. 4 (Dermal)</td><td>H312</td><td>55 %</td></tr><tr><td>Acute Tox 1 (Inhal.)</td><td>H330</td><td>0,1 %</td></tr><tr><td>Acute Tox.2 (Inhal.)</td><td>H330</td><td>0,5 %</td></tr><tr><td>Acute Tox. 3 (Inhal.)</td><td>H331</td><td>3,5 %</td></tr><tr><td>Acute Tox.4 (Inhal.)</td><td>H332</td><td>22,5 %</td></tr></table>	(Oral)			Acute Tox 1 (Dermal)	H310	0,25 %	Acute Tox. 2 (Dermal)	H310	2,5 %	Acute Tox. 3 (Dermal)	H311	15 %	Acute Tox. 4 (Dermal)	H312	55 %	Acute Tox 1 (Inhal.)	H330	0,1 %	Acute Tox.2 (Inhal.)	H330	0,5 %	Acute Tox. 3 (Inhal.)	H331	3,5 %	Acute Tox.4 (Inhal.)	H332	22,5 %				
(Oral)																																
Acute Tox 1 (Dermal)	H310	0,25 %																														
Acute Tox. 2 (Dermal)	H310	2,5 %																														
Acute Tox. 3 (Dermal)	H311	15 %																														
Acute Tox. 4 (Dermal)	H312	55 %																														
Acute Tox 1 (Inhal.)	H330	0,1 %																														
Acute Tox.2 (Inhal.)	H330	0,5 %																														
Acute Tox. 3 (Inhal.)	H331	3,5 %																														
Acute Tox.4 (Inhal.)	H332	22,5 %																														
<p><b>HP 7 ‘Carcinogenic:’</b> waste which induces cancer or increases its incidence.</p> <p>When a waste contains a substance classified by one of the following hazard class and category codes and hazard statement codes and exceeds or equals one of the following concentration limits shown in Table 6, the waste shall be classified as hazardous by HP 7. When more than one substance classified as carcinogenic is present in a waste, an individual substance has to be present at or above the concentration limit for the waste to be classified as hazardous by HP 7.</p> <p>Table 6: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents and the corresponding concentration limits for the classification of wastes as hazardous by HP 7</p> <table><tr><td>Hazard Class and Category Code(s)</td><td>Hazard statement Code(s)</td><td>Concentration limit</td></tr><tr><td>Carc. 1A</td><td rowspan="2">H350</td><td rowspan="2">0,1 %</td></tr><tr><td>Carc. 1B</td></tr><tr><td>Carc. 2</td><td>H351</td><td>1,0 %</td></tr></table>						Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit	Carc. 1A	H350	0,1 %	Carc. 1B	Carc. 2	H351	1,0 %																	
Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit																														
Carc. 1A	H350	0,1 %																														
Carc. 1B																																
Carc. 2	H351	1,0 %																														
			<p><b>HP 11 ‘Mutagenic’:</b> Waste that can cause a mutation, which is a permanent change in the amount or structure of genetic material in a cell. When a waste contains a substance classified according to one of the hazard class and category codes and hazard statement codes shown in Table 8, and exceeds or equals one of the concentration limits presented in that table, the waste shall be classified as hazardous by HP 11. When more than one substance classified as mutagenic is present in a waste, an individual substance must be present at or above the concentration limit for the waste to be classified as hazardous by HP 11.</p> <p><b>HP 12 ‘Release of a Toxic Gas Acute’:</b> Waste that releases toxic gases (Acute Tox. 1, 2, or 3) when in contact with water or an acid. When a waste contains a substance identified for one of the following additional hazards EUH029, EUH031, and EUH032, it shall be classified as hazardous by HP 12 according to test methods or guidelines.</p> <p><b>HP 13 ‘Sensitizing’:</b> Waste that contains one or more substances known to cause sensitizing effects on the skin or respiratory organs. When a waste contains a substance classified as sensitizing and has been assigned one of the following hazard statements H317 or H334, and an individual substance is present at or exceeds a concentration of 10%, the waste shall be classified as hazardous by HP 13.</p> <p><b>HP 14 ‘Ecotoxic’:</b></p>																													



	<p><b>HP 8 ‘Corrosive:’</b> waste which on application can cause skin corrosion.</p> <p>When a waste contains one or more substances classified as Skin corr.1A, 1B or 1C (H314) and the sum of their concentrations exceeds or equals 5 %, the waste shall be classified as hazardous by HP 8.</p> <p>The cut-off value for consideration in an assessment for Skin corr. 1A, 1B, 1C (H314) is 1.0 %.</p> <p><b>HP 9 ‘Infectious:’</b> waste containing viable micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms.</p> <p>The attribution of HP 9 shall be assessed by the rules laid down in reference documents or legislation in the Member States.</p> <p><b>HP 10 ‘ Toxic for reproduction:’</b> waste which has adverse effects on sexual function and fertility in adult males and females, as well as developmental toxicity in the offspring.</p> <p>When a waste contains a substance classified by one of the following hazard class and category codes and hazard statement codes and exceeds or equals one of the following concentration limits shown in Table 7, the waste shall be classified hazardous according to HP 10. When more than one substance classified as toxic for reproduction is present in a waste, an individual substance has to be present at or above the concentration limit for the waste to be classified as hazardous by HP 10.</p> <p>Table 7: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents and the corresponding concentration limits for the classification of wastes as hazardous by HP 10</p> <table><tr><th>Hazard Class and Category Code(s)</th><th>Hazard statement Code(s)</th><th>Concentration limit</th></tr><tr><td>Repr. 1A</td><td>H360</td><td>0.3%</td></tr></table>	Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit	Repr. 1A	H360	0.3%		<p>Waste that presents or may present immediate or delayed risks to one or more sectors of the environment.</p> <p>Waste that meets any of the following conditions shall be classified as hazardous by HP 14:</p> <p>Waste that contains a substance classified as an ozone-depleting substance with the hazard statement H420 in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council, and the concentration of such a substance equals or exceeds 0.1%.</p> <p>Waste that contains one or more substances classified as acute aquatic toxic with the hazard statement H400 in accordance with Regulation (EC) No. 1272/2008. For these substances, a cut-off value of 0.1% applies.</p> <p>Waste that contains one or more substances classified as chronic aquatic 1, 2, or 3 with the hazard statements H410, H411, or H412 in accordance with Regulation (EC) No. 1272/2008, and the sum of the concentrations of all substances classified as chronic aquatic 1 (H410) multiplied by 100 plus the sum of the concentrations of all substances classified as chronic aquatic 2 (H411) multiplied by 10 plus the sum of the concentrations of all substances classified as chronic aquatic 3 (H412) equals or exceeds 25%. A cut-off value of 0.1% applies to substances classified as H410, and a cut-off value of 1% applies to substances classified as H411 or H412.</p> <p>Waste that contains one or more substances classified as chronic aquatic 1, 2, 3, or 4 with the hazard statements</p>	
Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit								
Repr. 1A	H360	0.3%								

	Repr. 1B				H410, H411, H412, or H413 in accordance with Regulation (EC) No. 1272/2008, and the sum of the concentrations of all substances classified as chronic aquatic 1, 2, 3, or 4 equals or exceeds 25%. A cut-off value of 0.1% applies to substances classified as H410, and a cut-off value of 1% applies to substances classified as H411, H412, or H413.											
	Repr. 2	H361	3,0%													
<p><b>HP 11 ‘Mutagenic:’</b> waste which may cause a mutation, that is a permanent change in the amount or structure of the genetic material in a cell.</p> <p>When a waste contains a substance classified by one of the following hazard class and category codes and hazard statement codes and exceeds or equals one of the following concentration limits shown in Table 8, the waste shall be classified as hazardous according to HP 11. When more than one substance classified as mutagenic is present in a waste, an individual substance has to be present at or above the concentration limit for the waste to be classified as hazardous by HP 11.</p> <p>Table 8: Hazard Class and Category Code(s) and Hazard statement Code(s) for waste constituents and the corresponding concentration limits for the classification of wastes as hazardous by HP 11</p> <table><tr><th>Hazard Class and Category Code(s)</th><th>Hazard statement Code(s)</th><th>Concentration limit</th></tr><tr><td>Muta. 1A,</td><td rowspan="2">H340</td><td rowspan="2">0,1%</td></tr><tr><td>Muta. 1B</td></tr><tr><td>Muta 2.</td><td>H341</td><td>1%</td></tr></table> <p><b>HP 12 ‘Release of an acute toxic gas:’</b> waste which releases acute toxic gases (Acute Tox. 1, 2 or 3) in contact with water or an acid.</p> <p>When a waste contains a substance assigned to one of the following supplemental hazards EUH029, EUH031 and EUH032, it shall be classified as hazardous by HP 12 according to test methods or guidelines.</p> <p><b>HP 13 ‘Sensitising:’</b> waste which contains one or more substances known to cause sensitising effects to the skin or the respiratory organs</p> <p>When a waste contains a substance classified as sensitising and is assigned to one of the hazard statement codes H317 or H334 and one individual substance equals or exceeds the</p>							Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit	Muta. 1A,	H340	0,1%	Muta. 1B	Muta 2.	H341	1%
Hazard Class and Category Code(s)	Hazard statement Code(s)	Concentration limit														
Muta. 1A,	H340	0,1%														
Muta. 1B																
Muta 2.	H341	1%														
<p>Where: Σ = sum and c = concentrations of substances.</p> <p><b>HP 15 ‘Waste Capable of Displaying a Dangerous Property Listed Above That Does Not Directly Appear from the Original Waste’:</b> When a waste contains one or more substances identified for one of the hazard statements or additional hazards presented in Table 9, the waste shall be classified as hazardous by HP 15, except in cases where the waste is in such a form that under no circumstances would the explosive or potentially explosive properties appear.</p> <p>Table 9: Hazard Statements and Additional Hazards for Waste Constituents for the Classification of Waste as Hazardous by HP 15.</p>																

	<p>concentration limit of 10 %, the waste shall be classified as hazardous by HP 13.</p> <p><b>HP 14 ‘Ecotoxic:’</b> waste which presents or may present immediate or delayed risks for one or more sectors of the environment..</p> <p>Waste which fulfils any of the following conditions shall be classified as hazardous by HP 14:</p> <p>— Waste which contains a substance classified as ozone depleting assigned the hazard statement code H420 in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council (1) and the concentration of such a substance equals or exceeds the concentration limit of 0,1 %. <math>[c(H420) \geq 0,1 \text{ \%}]</math></p> <p>— Waste which contains one or more substances classified as aquatic acute assigned the hazard statement code H400 in accordance with Regulation (EC) No 1272/2008 and the sum of the concentrations of those substances equals or exceeds the concentration limit of 25 %. A cut-off value of 0,1 % shall apply to such substances. <math>[\sum c(H400) \geq 25 \text{ \%}]</math></p> <p>— Waste which contains one or more substances classified as aquatic chronic 1, 2 or 3 assigned to the hazard statement code(s) H410, H411 or H412 in accordance with Regulation (EC) No 1272/2008, and the sum of the concentrations of all substances classified as aquatic chronic 1 (H410) multiplied by 100 added to the sum of the concentrations of all substances classified as aquatic chronic 2 (H411) multiplied by 10 added to the sum of the concentrations of all substances classified as aquatic chronic 3 (H412) equals or exceeds the concentration limit of 25 %. A cut-off value of 0,1 % applies to substances classified as H410 and a cut-off value of 1 % applies to substances classified as H411 or H412. <math>[100 \times \sum c(H410) + 10 \times \sum c(H411) + \sum c(H412) \geq 25 \text{ \%}]</math></p> <p>— Waste which contains one or more substances classified as aquatic chronic 1, 2, 3 or 4 assigned the hazard statement code(s) H410, H411, H412 or H413 in accordance with Regulation (EC) No 1272/2008, and the sum of the concentrations of all substances classified as aquatic chronic equals or exceeds the concentration limit of 25 %. A cut-off value of 0,1 % applies to substances classified as H410 and a cut-off value of 1 % applies to substances</p>					
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<div>classified as H411, H412 or H413.</div> <div><math display="block">[\Sigma c H410 + \Sigma c H411 + \Sigma c H412 + \Sigma c H413 \geq 25 \, \%]</math><div>Where: <math>\Sigma</math> = sum and c = concentrations of the substances</div></div> <div><div>(1) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).</div></div> <div><div>HP 15 ‘Waste capable of exhibiting a hazardous property listed above not directly displayed by the original waste’.</div><div>When a waste contains one or more substances assigned to one of the hazard statements or supplemental hazards shown in Table 9, the waste shall be classified as hazardous by HP 15, unless the waste is in such a form that it will not under any circumstance exhibit explosive or potentially explosive properties.</div></div> <div><div>Table 9: Hazard statements and supplemental hazards for waste constituents for the classification of wastes as hazardous by HP 15</div><table><tr><th colspan="2">Hazard Statement(s)/Supplemental Hazard(s)</th></tr><tr><td>May mass explode in fire</td><td>H205</td></tr><tr><td>Explosive when dry</td><td>EUH001</td></tr><tr><td>May form explosive peroxides</td><td>EUH019</td></tr><tr><td>Risk of explosion if heated under confinement</td><td>EUH044</td></tr></table></div> <div><div>In addition, Member States may characterise a waste as hazardous by HP 15 based on other applicable criteria, such as an assessment of the leachate.</div><div>Test methods:<div>The methods to be used are described in Commission Regulation (EC) No 440/2008 (1) and in other relevant</div></div></div>	Hazard Statement(s)/Supplemental Hazard(s)		May mass explode in fire	H205	Explosive when dry	EUH001	May form explosive peroxides	EUH019	Risk of explosion if heated under confinement	EUH044					
Hazard Statement(s)/Supplemental Hazard(s)															
May mass explode in fire	H205														
Explosive when dry	EUH001														
May form explosive peroxides	EUH019														
Risk of explosion if heated under confinement	EUH044														

	CEN notes or other internationally recognised test methods and guidelines. (I) ► C2 Commission Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 142, 31.5.2008, p. 1). ◀					
<b>ANNEX IV EXAMPLES OF WASTE PREVENTION MEASURES REFERRED TO IN ARTICLE 29</b>	<p><b>Measures that can affect the framework conditions related to the generation of waste</b></p> <ol style="list-style-type: none"> <li>1. The use of planning measures, or other economic instruments promoting the efficient use of resources.</li> <li>2. The promotion of research and development into the area of achieving cleaner and less wasteful products and technologies and the dissemination and use of the results of such research and development.</li> <li>3. The development of effective and meaningful indicators of the environmental pressures associated with the generation of waste aimed at contributing to the prevention of waste generation at all levels, from product comparisons at Community level through action by local authorities to national measures.</li> </ol> <p><b>Measures that can affect the design and production and distribution phase</b></p> <ol style="list-style-type: none"> <li>4. The promotion of eco-design (the systematic integration of environmental aspects into product design with the aim to improve the environmental performance of the product throughout its whole life cycle).</li> <li>5. The provision of information on waste prevention techniques with a view to facilitating the implementation of best available techniques by industry.</li> <li>6. Organise training of competent authorities as regards the insertion of waste prevention requirements in permits under this Directive and Directive 96/61/EC.</li> <li>7. The inclusion of measures to prevent waste production at installations not falling under Directive 96/61/EC. Where appropriate, such measures could include waste prevention assessments or plans.</li> <li>8. The use of awareness campaigns or the provision of financial, decision making or other support to businesses. Such measures are likely to be particularly effective where they are aimed at, and adapted to, small and medium sized</li> </ol>	Draft Law	Annex 5	<p><b>ANNEX V EXAMPLES OF WASTE PREVENTION MEASURES</b></p> <p>Measures that may impact the general conditions related to waste generation:</p> <ol style="list-style-type: none"> <li>1. The use of planning measures or other economic instruments that promote the efficient use of resources.</li> <li>2. Encouraging research and development activities with the aim of achieving cleaner products and technologies that generate less waste, and the dissemination and use of the results from research and development activities.</li> <li>3. The development of meaningful and effective indicators of the pressures exerted by waste generation on the environment, with the aim of contributing to waste prevention at all levels, starting from the comparison of products at the national level to actions taken by local authorities, and down to measures at the national level.</li> </ol> <p>Measures that may impact the design, production, and distribution phases:</p> <ol style="list-style-type: none"> <li>4. Promoting eco-design (the systematic integration of environmental aspects in product design to improve the product's</li> </ol>	Full	Annex 5 of the draft law reflects all the measures listed in Annex IV of Directive 2008/98/EC on waste.

	<p>enterprises and work through established business networks.</p> <p>9. The use of voluntary agreements, consumer/producer panels or sectoral negotiations in order that the relevant businesses or industrial sectors set their own waste prevention plans or objectives or correct wasteful products or packaging.</p> <p>10. The promotion of creditable environmental management systems, including EMAS and ISO 14001.</p> <p><b>Measures that can affect the consumption and use phase</b></p> <p>11. Economic instruments such as incentives for clean purchases or the institution of an obligatory payment by consumers for a given article or element of packaging that would otherwise be provided free of charge.</p> <p>12. The use of awareness campaigns and information provision directed at the general public or a specific set of consumers.</p> <p>13. The promotion of creditable eco-labels.</p> <p>14. Agreements with industry, such as the use of product panels such as those being carried out within the framework of Integrated Product Policies or with retailers on the availability of waste prevention information and products with a lower environmental impact.</p> <p>15. In the context of public and corporate procurement, the integration of environmental and waste prevention criteria into calls for tenders and contracts, in line with the Handbook on environmental public procurement published by the Commission on 29 October 2004.</p> <p>16. The promotion of the reuse and/or repair of appropriate discarded products or of their components, notably through the use of educational, economic, logistic or other measures such as support to or establishment of accredited repair and reuse-centres and networks especially in densely populated regions.</p>		<p>environmental performance throughout its lifecycle).</p> <p>5. Providing information on techniques for waste prevention, aiming to facilitate the implementation of best available techniques for each industry.</p> <p>6. Organizing training for the relevant authorities on how to include waste prevention requirements in Environmental Permits of type A under the Environmental Permits Law.</p> <p>7. Including waste prevention measures in facilities that require type A or B Environmental Permits under the Environmental Permits Law. Where appropriate, such measures may include plans or assessments for waste prevention.</p> <p>8. Using awareness campaigns or providing financial support, decision-making assistance, or other support for businesses. These measures can be especially effective when they are focused on and adapted for small and medium enterprises and operate through established/existing business networks.</p> <p>9. The use of voluntary agreements, consumer and producer groupings/committees, or sectoral negotiations, with the goal that businesses or relevant industrial sectors develop their own waste prevention plans or objectives or correct products or packaging that create excessive waste.</p>		
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			<p>10. Promoting reliable waste management systems, including EMAS and ISO 14001.</p> <p>Measures that may impact the consumption and use phase:</p> <p>11. Economic instruments, such as incentives for purchasing clean products or the introduction of a mandatory fee to be paid by consumers for a specific product or packaging element that would otherwise be given for free.</p> <p>12. The use of awareness campaigns and the dissemination of information to the public or to a specific category of consumers.</p> <p>13. Promoting trustworthy eco-labels.</p> <p>14. Agreements with the industry, such as the use of groupings/committees for products (e.g., those established within the framework of Integrated Product Policies) or with retailers on the availability of information for waste prevention and products with lower environmental impact.</p> <p>15. In the context of public procurement or the signing of contracts by commercial companies, including environmental criteria and waste prevention criteria as tender/public procurement criteria and contract terms.</p> <p>16. Promoting the reuse and/or repair of discarded products or their components suitable for reuse and/or repair, especially through the use of educational, economic, logistical, or other measures, such as supporting or</p>		
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				establishing accredited repair and reuse networks and centers, especially in densely populated areas..		
<p><i>ANNEX IVa</i></p> <p><b>EXAMPLES OF ECONOMIC INSTRUMENTS AND OTHER MEASURES TO PROVIDE INCENTIVES FOR THE APPLICATION OF THE WASTE HIERARCHY REFERRED TO IN ARTICLE 4(3)<sup>6</sup></b></p>	<p>1. Charges and restrictions for the landfilling and incineration of waste which incentivise waste prevention and recycling, while keeping landfilling the least preferred waste management option;</p> <p>2. ‘Pay-as-you-throw’ schemes that charge waste producers on the basis of the actual amount of waste generated and provide incentives for separation at source of recyclable waste and for reduction of mixed waste;</p> <p>3. Fiscal incentives for donation of products, in particular food;</p> <p>4. Extended producer responsibility schemes for various types of waste and measures to increase their effectiveness, cost efficiency and governance;</p> <p>5. Deposit-refund schemes and other measures to encourage efficient collection of used products and materials;</p> <p>6. Sound planning of investments in waste management infrastructure, including through Union funds;</p> <p>7. Sustainable public procurement to encourage better waste management and the use of recycled products and materials;</p> <p>8. Phasing out of subsidies which are not consistent with the waste hierarchy;</p> <p>9. Use of fiscal measures or other means to promote the uptake of products and materials that are prepared for re-use or recycled;</p> <p>10. Support to research and innovation in advanced recycling technologies and remanufacturing;</p> <p>11. Use of best available techniques for waste treatment;</p> <p>12. Economic incentives for regional and local authorities, in particular to promote waste prevention and intensify separate collection schemes, while avoiding support to landfilling and incineration;</p> <p>13. Public awareness campaigns, in particular on separate collection, waste prevention and litter reduction, and mainstreaming these issues in education and training;</p>	<i>Draft Law</i>	<i>Annex 6</i>	<p><b>ARTICLE 6</b></p> <p><b>ECONOMIC INSTRUMENTS AND INCENTIVES FOR THE IMPLEMENTATION OF THE WASTE HIERARCHY</b></p> <p>a) The policies and legal framework that encourage the implementation of the waste hierarchy at the central and local levels, as foreseen in Article 28 of this law, may include the following economic instruments and incentives:</p> <p>b)</p> <p>c) a) Investment planning at the central and local levels in accordance with the needs for the development of integrated waste management infrastructure;</p> <p>d) b) Sustainable public procurement to encourage better waste management and the use of recycled products and materials;</p> <p>e) c) Support for research and innovation in advanced recycling technologies and remanufacturing with a mix of recovered and new materials;</p> <p>f) d) The use of best available techniques for waste treatment;</p>	Partial	The measures outlined in Annex IV of the Directive are indicative and not mandatory. The draft law on waste management has listed a considerable part of them in Annex 6, in line with Directive 2008/98/EC on waste. However, compliance can only be fully achieved based on the assessment of the actual implementation of these instruments.

<sup>6</sup>While these instruments and measures may provide incentives for waste prevention, which is the highest step in the waste hierarchy, a comprehensive list of more specific examples of waste prevention measures is set out in Annex IV.



	<p>14. Systems for coordination, including by digital means, between all competent public authorities involved in waste management;</p> <p>15. Promoting continuous dialogue and cooperation between all stakeholders in waste management and encouraging voluntary agreements and company reporting on waste.</p>			<p>g) e) Economic incentives for central and local authorities, especially for promoting waste prevention and reinforcing differentiated collection schemes;</p> <p>h) f) Public awareness campaigns;</p> <p>i) g) Coordinating systems, including through digital tools, among all public authorities involved in waste management.</p>		
<p><i>ANNEX IVb</i> <b>IMPLEMENTATION PLAN TO BE SUBMITTED PURSUANT TO ARTICLE 11(3)</b></p>	<p>The implementation plan to be submitted pursuant to Article 11(3) shall contain the following:</p> <p>1. Assessment of the past, current and projected rates of recycling, landfilling and other treatment of municipal waste and the streams of which it is composed;;</p> <p>2. Assessment of the implementation of waste management plans and waste prevention programmes in place pursuant to Articles 28 and 29;</p> <p>3. reasons for which the Member State considers that it might not be able to attain the relevant target laid down in Article 11(2) within the deadline set therein and an assessment of the time extension necessary to meet that target;</p> <p>4. Measures necessary to attain the targets set out in Article 11(2) and (5) that are applicable to the Member State during the time extension, including appropriate economic instruments and other measures to provide incentives for the application of the waste hierarchy as set out in Article 4(1) and Annex IVa;</p> <p>5. A timetable for the implementation of the measures identified in point 4, determination of the body competent for their implementation and an assessment of their individual contribution to attaining the targets applicable in the event of a time extension;;</p> <p>6. Information on funding for waste management in line with the polluter-pays principle;</p> <p>7. measures to improve data quality, as appropriate, with a view to better planning and monitoring performance in waste management.</p>	N/A	N/A	N/A	N/A	N/A
<p><i>ANNEX V</i> <b>CORRELATION TABLE</b></p>	-	N/A	N/A	N/A	N/A	N/A

