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16 December 2010 [shall come into force from 1 January 2011];

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27 March 2014 [shall come into force from 3 April 2014];

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5 December 2019 [shall come into force from 27 December 2019];

30 January 2020 [shall come into force from 5 February 2020];

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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima* 1 has adopted and

the President has proclaimed the following Law:

**Waste Management Law**

**Chapter I**

**General Provisions**

**Section 1.** The following terms are used in this Law:

1) **waste** – any object or substance which the holder discards or intends or is required to discard;

2) **hazardous waste** – waste which displays one or more of the properties which make it hazardous;

3) **municipal waste** – unsorted municipal waste and waste collected separately from households, including paper and cardboard, glass, metals, plastic, biological waste, wood, textiles, packaging, waste electrical and electronic equipment, waste batteries and accumulators, large waste items such as mattresses and furniture, and also unsorted waste and waste collected separately from other sources the properties and composition of which are similar to the waste from households. Production waste, agricultural waste, waste from forestry and fishery operations, septic tanks, and waste water sewerage network and treatment, including sewage sludge, end-of-life vehicles or waste generated in construction work and during the process of demolition of structures shall not be considered municipal waste;

4) **production waste** – waste generated as a result of production process or construction;

41) **biological waste** – biodegradable garden and park waste, food and kitchen waste from households, offices, public catering institutions (restaurants, canteens, etc.), wholesale and retail outlets, and other comparable waste from food processing plants;

42) **food waste** – any type of food in accordance with Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, which has become waste;

43) **construction waste** – waste generated in construction work and during the process of demolition of structures;

5) **waste holder** – any natural or legal person who complies with at least one of the following conditions:

a) is a waste producer;

b) is a natural or legal person in the actual possession of which is the waste;

6) **waste producer** – any natural or legal person whose activities generate waste (original waste producer) or anyone who carries out pre-processing, mixing or other operations resulting in a change in the composition or nature of the waste;

7) **waste management** – the collection, sorting, storage, transport, recovery, and disposal of waste (including incineration in municipal waste incineration facilities without energy recovery), the supervision of such activities, the maintenance of disposal sites after their closure, and also trade in waste and mediation in waste management;

8) **waste collection** – the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste recovery or disposal facility where preparation of waste for recovery or disposal is performed;

9) **separate waste collection** – the collection where a waste stream is kept separately by type and nature so as to facilitate preparation of waste for recovery or disposal, and also the recovery or disposal;

10) **landfill site** – a specially constructed and equipped site for the disposal of waste on the ground or in the ground in which all the measures for environmental protection specified in laws and regulations are ensured;

11) **waste dump** – a site for the disposal of waste which does not conform to the requirements regarding landfill sites;

12) **storage of waste** – the storage of waste in specially applicable and equipped sites for further recovery or disposal thereof [except for short-term storage (of less than three months) at the sites of the creation, sorting, and collection thereof in quantities which do not cause harm to the environment or threats to human health];

121) **waste sorting** – manual separation of individual types of waste from the joint waste stream at the place where waste is generated, manual, or automated separation from the joint waste stream at the locations where waste is collected and sorted, and also in waste recovery and waste disposal facilities;

13) **recovery of waste** – any operation the principal result of which is waste serving a useful purpose in the production processes or in the national economy by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function;

14) **recycling of waste** – any recovery operation by which waste materials are reprocessed into products, materials, or substances whether for the original or other purposes, including the reprocessing of organic materials but excluding recovery of energy present in waste and the reprocessing into materials that are to be used as fuels or for backfilling operations;

15) **preparation of waste for re-use** – a waste recovery operation by which a product or components thereof that have become waste are checked, cleaned, or repaired in order to be re-used without any further pre-processing;

16) **re-use** – any operation by which products or components that are not waste are used again for the same purpose for which they were conceived;

17) **disposal of waste** – any other operation performed with waste which is not considered as waste recovery even where the operation has as a secondary consequence the reclamation of substances or energy;

18) **preparation of waste for disposal** – separation of waste to be recovered or composted, and also hazardous waste generated in a household prior to disposal thereof in a landfill site;

19) **waste dealer** – any person acting on the behalf thereof to purchase and subsequently sell waste, including such a person which does not take physical possession of the waste;

20) **waste management broker** – any person arranging the recovery or disposal of waste on behalf of other persons, also such a person which do not take physical possession of the waste;

21) **waste manager** – a merchant, also waste dealer and waste management broker who has received the relevant permit for waste management in accordance with the procedures laid down in this Law or the laws and regulations regarding pollution;

22) **electrical and electronic equipment** – equipment which is dependent on electric currents or electromagnetic fields and equipment for the generation, transfer, and measurement of electric currents and electromagnetic fields designed for use with a voltage rating not exceeding 1000 volts for alternating current and 1500 volts for direct current and falling under the categories stipulated by the Cabinet;

23) **waste electrical and electronic equipment** – electrical or electronic equipment which is considered as waste, including all components, subassemblies, and consumables which are part of the product at the time of discarding;

24) **waste electrical and electronic equipment from private households** – waste electrical and electronic equipment which comes from private households or trade, the process of provision of services, industrial, institutional and from other sources which, because of its nature and quantity, is similar to waste electrical and electronic equipment generated from a private household. Waste from waste electrical and electronic equipment likely to be used by both private households and users other than private households shall in any event be considered to be waste electrical and electronic equipment from private households;

25) **prevention of waste electrical and electronic equipment** – aggregate of measures aimed at reducing the quantity, and also the harmfulness to the environment of electrical and electronic equipment and materials and substances contained therein;

26) **producer of electrical and electronic equipment** – any person who, regardless of the selling technique used, also regardless of a distance contract in accordance with the laws and regulations regarding a distance contract:

a) within the scope of its economic activity manufactures electrical and electronic equipment under his own name (firm name) or trademark, or has electric and electronic equipment designed or manufactured and markets it under his name (firm name) or trademark within the territory of Latvia;

b) within the scope of its economic activity resells within the territory of Latvia, under his own name (firm name) or trademark, equipment produced by other suppliers, except for cases if the name (firm name) or trademark of the producer appears on the equipment;

c) within the scope of its economic activity places on the market of Latvia electrical and electronic equipment from a third country or from other Member State of the European Union supplying them for a charge or free of charge for distribution, consumption, or use;

d) carries out its economic activity in other Member State of the European Union or third country and, using a distance contract, sells electrical and electronic equipment in Latvia by means of a distance contract directly to private households or to users other than private households;

27) **distributor of electrical and electronic equipment** – any person who within the scope of its economic activity makes an electrical and electronic equipment available on the market. A distributor of electrical and electronic equipment may be at the same time a producer of electronic and electrical equipment within the meaning of this Law;

28) **operator of a waste recycling or recovery facility** – a person who manages a waste recycling or recovery facility and to whom a permit for the performance of Category A or B polluting activity has been issued in accordance with the laws and regulations regarding pollution.

[*27 March 2014; 30 April 2015; 7 December 2017; 9 July 2020*]

**Section 2.** The purpose of this Law is to prescribe the procedures for waste management in order to protect the environment, human life and health by preventing or reducing the generation of waste, ensuring separate collection and regeneration of waste generated in the territory of Latvia, reduction of the amount of waste going to landfill sites, and also facilitating efficient use of natural resources in order to increase competitiveness of Latvia and to promote the transition to the circular economy.

[*9 July 2020*]

**Section 3.** (1) This Law shall not apply to:

1) gaseous effluents emitted into the atmosphere;

2) carbon dioxide caught and transported for geological storage and stored geologically in accordance with the laws and regulations regarding storage of carbon dioxide;

3) radioactive waste;

4) useless explosives;

5) unexcavated land, also contaminated soil and buildings;

6) uncontaminated soil and other mineral resources excavated in the course of construction activities and which will be used for the purposes of construction in their natural state on the site from which they were excavated;

7) faecal matter, if not covered by Paragraph two, Clause 2 of this Section, straw and other natural non-hazardous agricultural or forestry material used in farming, forestry or for the production of energy from biomass not endangering the environment or human health;

8) ground relocated inside surface waters for the purpose of managing waters and waterways or of preventing floods or mitigating the effects of floods and droughts or land reclamation if the ground is not considered as hazardous in accordance with the laws and regulations regarding the procedures for cleaning and deepening surface water bodies and port basins;

9) batteries and accumulators used in equipment intended for national security and which are used in weapons, ammunition, and military equipment, and also in equipment designed to be sent into space, except for products that are not intended for specific military purposes.

(2) The provisions of this Law shall not be applied if other laws and regulations prescribe other procedures for waste management and they apply to:

1) waste waters;

2) animal by-products and derived products not intended for human consumption and to which the laws and regulations regarding animal by-products and derived products not intended for human consumption apply, except for those by-products which are destined for incineration, landfilling, or use in a biogas or composting plant;

3) carcasses of animals that have died other than by being slaughtered;

4) carcasses of animals killed to eradicate epizootic diseases which are disposed of in accordance with the laws and regulations regarding animal by-products and derived products not intended for human consumption;

5) waste resulting from geological prospecting, extraction, treatment, and storage of mineral resources and the working of quarries and to which the laws and regulations regarding management of waste from extractive industries apply;

6) substances which are intended to be used as feed materials in accordance with Article 3(2)(g) of Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC, and that neither consist of animal by-products nor contain them.

[*29 March 2012; 27 March 2014; 9 July 2020*]

**Section 4.** (1) Waste management shall be performed in such a way as not to threaten human life and health.

(2) Waste management shall not negatively affect the environment, including:

1) cause threats to the water, air, soil, and also plants and animals;

2) cause a nuisance through noise or odours;

3) negatively affect the countryside and specially protected nature territories;

4) pollute or litter the environment.

(3) Waste shall be regarded as secondary raw materials if such waste conforms to the end-of-waste criteria set out in the legal acts of the European Union or the end-of-waste criteria stipulated by the Cabinet and if materials which will be used for the production of an end product have been obtained therefrom. If recycling of waste results in a material which may not be considered a secondary raw material, it shall be considered waste.

(4) If secondary raw materials are transported to a landfill site for disposal or if such raw materials are not sold and are stored longer than one year after their production, they shall be regarded as waste and shall be managed in accordance with the requirements laid down in this Law. The Cabinet shall determine the procedures by which the waste manager records secondary raw materials.

[*7 December 2017; 9 July 2020*]

**Section 5.** (1) In the organisation, planning, and performing of waste management the following requirements shall be conformed to (in the following priority order) by the State administration institutions, local governments, and waste managers:

1) causes of waste generation must be prevented;

2) the amount (volume) and hazardousness of waste must be reduced;

3) waste for re-use must be prepared;

4) appropriately prepared waste must be re-used;

5) recycling of waste must be performed;

6) recovery of waste must be performed in other ways, for example, by acquiring energy;

7) waste must be disposed of in a way that the environment, human life and health are not threatened;

8) waste dumps must be closed according to waste management plans, and also re-cultivation of closed waste dumps and landfill sites must be ensured.

(2) The Cabinet, if necessary, shall determine the types of the waste in the management of which the priority order of requirements referred to in Paragraph one of this Section need be not conformed to on the basis of life-cycle of the products, general environmental protection principles and in conformity with the overall impact on the environment, human health, economics and social conditions of the generation and management of the relevant waste.

[*27 March 2014; 30 April 2015*]

**Chapter II**

**Competence of State and Local Government Authorities**

**Section 6.** The Cabinet shall determine:

1) the waste classification and characteristics which make waste hazardous and the criteria for by-products;

11) the procedures for the application of the criteria for by-products and for the termination of application of waste status;

2) the procedures by which ferrous and non-ferrous metal cuttings and scrap shall be purchased and sold, and also by which licences for the purchase of metal cuttings and scrap shall be issued in Latvia;

3) the rate of the State fee (in euro) to be paid for a licence for the purchase of ferrous and non-ferrous metal cuttings and scrap in Latvia and for a licence for the purchase of ferrous metal cuttings and scrap in Latvia, and also the procedures by which such fee shall be paid;

4) the procedures for the collection and management of the packaging to which the deposit system is not applied and which is collected at the sales point or specially established packaging collection point, and the requirements to be set for the merchants which perform the collection of such packaging;

5) the types of waste collection points and waste sorting stations, the requirements to be set for the construction and management of waste collection points, waste sorting stations, and also biodegradable waste composting sites;

6) the requirements for the management of waste generated in medical treatment institutions.

[*29 March 2012; 19 September 2013; 27 March 2014; 7 December 2017*]

**Section 7.** (1) The Ministry of Environmental Protection and Regional Development shall:

1) organise the development of a State waste management plan, and also coordinate its implementation;

2) prepare draft laws and regulations in the field of waste management;

3) coordinate and organise the management of hazardous waste in accordance with this Law and other laws and regulations;

4) coordinate the construction of municipal landfill sites;

5) evaluate whether the preparation of municipal waste for re-use, the recycling of waste, and the material recovery, and also the reduction of the amount of waste going to landfill sites for municipal waste achieve the objectives identified;

6) if it is necessary to extend the time periods for the attainment of the objectives referred to in Clause 5 of this Paragraph, prepare a relevant plan for submission to the European Commission. The Cabinet shall determine the requirements for the content of such plan in order to extend the time periods for the attainment of the objectives which include the preparation of waste for re-use, the recycling of waste, and the material recovery, and also the reduction of the amount of waste going to landfill sites for municipal waste.

(2) *Valsts kapitālsabiedrība “Latvijas Vides, ģeoloģijas un meteoroloģijas centrs”* [State limited liability company Latvian Environmental, Geology and Meteorology Centre] shall:

1) organise hazardous waste management in accordance with this Law and other laws and regulations if it is impossible to identify the holder of hazardous waste;

2) compile information on waste management;

3) organise the construction and management of hazardous waste recovery or disposal facilities and landfill sites of national significance;

4) ensure the provision of information related to the waste management to the public, and also to European Union institutions and international institutions.

[*16 December 2010; 30 April 2015; 9 July 2020*]

**Section 8.** (1) A local government:

1) in its administrative territory, in conformity with the binding regulations of the local government regarding management of municipal waste, taking into account the State waste management plan and regional plans, shall organise the management of the following waste:

a) all municipal waste, including municipally generated hazardous waste;

b) production waste generated during the construction process that is not subject to the laws and regulations regarding the procedures for registering the construction waste and transportation thereof (hereinafter – the construction waste generated in households);

2) shall take decisions to place new municipal or production waste collection, separate collection, sorting, preparation for recycling and recovery or disposal facilities and infrastructure objects, and also landfill sites within the administrative territory thereof according to the State waste management plan and regional plans;

3) shall issue binding regulations on the management of municipal waste within the administrative territory thereof by determining the division of such territory into municipal waste management zones, the requirements for the waste collection, also for the minimum frequency of municipal waste collection, transport, reloading, sorting, and storage, the requirements for the management of large waste items, hazardous waste, and construction waste generated in households, and the procedures for making payments for such waste management;

4) shall take decisions to place of new hazardous waste recovery or disposal facilities and landfill sites within the administrative territory thereof according to the State waste management plan and regional plans;

5) may invest funding in the establishment and maintenance of waste management system according to the State waste management plan and regional plans;

6) shall organise a separate waste collection within the administrative territory thereof according to the State waste management plan and regional plans;

7) shall supervise and control the payments for closing, re-cultivation, monitoring of a municipal waste landfill site and for maintaining a closed landfill site and costs after closing the landfill site;

8) shall take a decision on the conformity of the results of a research and development activity performed by a manager of a municipal waste landfill site which is located in the relevant waste management region with the objective of the project – to reduce the volume of waste to be disposed of in the landfill site – and on the necessity to implement the results;

9) shall promote active involvement of inhabitants in waste sorting by organising educational events and campaigns promoting waste sorting, and also by supporting the initiatives of inhabitants either independently or in cooperation with the waste manager or the manager of a landfill site selected in accordance with the procedures laid down in Section 18 of this Law.

(11) Conformity of the results of the research and development activity performed by the manager of the municipal waste landfill site with the objective of the project shall be approved when the decision on conformity is taken by at least three quarters of the local governments located in the relevant waste management region.

(2) A local government shall send the binding regulations referred to in Paragraph one of this Section to the Ministry of Environmental Protection and Regional Development in writing within three working days after signing thereof for the provision of opinion. The Ministry of Environmental Protection and Regional Development shall, not later than within two weeks after receipt of the binding regulations, assess the conformity of these regulations with the laws and regulations regarding waste management, the State waste management plan, and regional plans. If the binding regulations of the local government conform to laws and regulations and planning documents, the Ministry of Environmental Protection and Regional Development shall inform the relevant local government thereof.

(3) If the Ministry of Environmental Protection and Regional Development has objections in respect of the binding regulations referred to in Paragraph one of this Section, it shall send a relevant opinion to the local government. The local government shall send adjusted draft binding regulations to the Ministry of Environmental Protection and Regional Development, attaching information on the objections expressed in the opinion of the Ministry of Environmental Protection and Regional Development with which the local government does not agree.

(4) In order to develop a regional waste management plan and coordinate its implementation, to compile information on the stream of municipal waste in the relevant waste management region, and also to ensure more efficient implementation of such tasks which are specified in this Law for the local government in the field of municipal waste management, local governments may establish joint institutions, and also delegate administration tasks to a private individual and another public person, in conformity with the provisions of the law On Local Governments and the State Administration Structure Law.

[*16 December 2010; 30 April 2015; 17 November 2016; 7 December 2017; 5 December 2019; 9 July 2020*]

**Chapter III**

**Waste Management Plans and Waste Prevention Programme**

**Section 9.** (1) Waste management shall be performed according to the State waste management plan. Waste management regional plans and local government plans shall be conformed to in waste management, if such have been approved.

(2) The Cabinet shall approve the State waste management plan in which the State waste prevention programme is included, with an order.

(3) The Ministry of Environmental Protection and Regional Development together with the Ministry of Economics shall develop the State waste management plan, including the State waste prevention programme.

(4) The Cabinet shall determine the content of the State waste management plan and regional plans and the procedures for co-ordination, public discussion, implementation, assessment, and review thereof.

(5) The Cabinet shall determine the measures for the prevention of waste to be included in the State waste management plan and the measures promoting application of waste management activities in order of priority.

[*16 December 2010; 30 April 2015; 9 July 2020*]

**Section 10.** (1) The Cabinet shall determine the waste management regions.

(2) Local governments that form part of the waste management region shall develop a regional waste management plan. The regional waste management plan shall enter into effect after it has been approved by all local governments that are part of the waste management region. Decisions to approve the regional waste management plan shall be submitted to the relevant regional environmental board of the State Environmental Service.

(21) If any of the local governments that form part of the waste management region does not agree to approve the regional waste management plan referred to in Paragraph two of this Section, it shall develop a waste management plan for its administrative territory in accordance with the procedures laid down in Paragraph three of this Section, taking into account the requirements of laws and regulations, and also the State waste management plan and the regional waste management plan of the region in which administrative territory of the local government is located.

(3) A local government, if necessary, shall, in conformity with the relevant regional waste management plan, organise the development of a municipal waste management plan for its own administrative territory, and approve it. The local government shall submit a decision to approve the local government waste management plan to the relevant regional environmental board of the State Environmental Service.

[*16 December 2010; 30 April 2015; 9 July 2020*]

**Section 11.** (1) Waste prevention is a complex of such measures which are applied while substance, material, or product is not considered as waste and as a result of application of which the following reduce:

1) the quantity of generated waste, including through the re-use of products or the extension of the life span of products;

2) the adverse impacts of the generated waste on the environment, human life and health, and also persons’ property;

3) the concentration of hazardous substances in materials and products.

(2) The State waste prevention programme shall determine the objectives of waste prevention and measures for achievement of such objectives. The Cabinet shall determine the content of the State waste prevention programme, the procedures for public discussion, implementation, and review thereof, and also qualitative and quantitative indicators of waste prevention.

(3) The Cabinet shall determine the content of the food waste prevention programme and the procedures for implementing monitoring of the waste prevention measures.

[*9 July 2020*]

**Chapter IV**

**Waste Management Permits and Inspections**

**Section 12.** (1) Prior to the performance of the relevant activities the waste manager shall receive a permit from the State Environmental Service for:

1) collection of waste;

2) transport of waste;

3) reloading of waste;

4) sorting of waste;

5) storage of waste;

6) digging up of a closed or re-cultivated waste dump and resorting of waste.

(11) Prior to digging up of a re-cultivated waste dump the waste manager shall coordinate such activities with the land owner on whose land the relevant re-cultivated waste dump is located, and with the local government in the administrative territory of which the abovementioned waste dump is located.

(12) In order to obtain a permit for the activities referred to in Paragraph one of this Section, and also for the recycling or recovery of waste in accordance with the laws and regulations regarding pollution, the waste manager shall submit a financial security to the State Environmental Service. The financial security shall be a first demand guarantee letter issued by a credit institution or an insurance policy issued by an insurer which includes irrevocable commitment of the insurer to disburse the insurance compensation upon the first request of the State Environmental Service, and also incontestability of such request.

(13) The waste manager shall maintain the financial security in effect throughout the term of operation of the permit. If during the term of operation of the permit the waste manager does not have a valid financial security, the operation of the permit is suspended until submission of the relevant security to the State Environmental Service.

(14) The State Environmental Service is entitled to request the compensation of the financial security either in full or partial amount depending on the execution of the commitment of the waste manager. The State Environmental Service shall utilise the received compensation to cover the expenditures in cases where the waste manager:

1) has failed to transport the waste to the intended place and collection, transport, storage, or recycling of the relevant waste must be ensured;

2) has failed to recycle or recover waste in the specified volume and the recycling and recovery thereof must be ensured;

3) has failed to ensure the re-cultivation of a closed or re-cultivated waste dump after digging up of the waste dump and resorting of waste and re-cultivation of the territory must be ensured.

(15) The amount of the financial security shall be determined, taking into account the type of the permit for a waste management, recycling, or recovery activity.

(16) The State Environmental Service has the right to request that the provider of the financial security disburses the amount of the financial security within six months after expiry of the term of the financial security if the basis for such disbursement has incurred during the term of operation of the financial security.

(17) If several permits have been issued to the waste manager for the activities referred to in Paragraph one of this Section or for the recycling or recovery of waste in accordance with the laws and regulations regarding pollution, it shall submit to the State Environmental Service one financial security for the permit which indicates the largest amount of the waste to be managed. The State Environmental Service is entitled to request the compensation of the financial security either in full or partial amount depending on the fulfilment of obligations of the waste manager in respect of any permit issued to the waste manager for the activities referred to in Paragraph one of this Section or for the recycling or recovery of waste in accordance with the laws and regulations regarding pollution for which a separate financial security has not been submitted to the State Environmental Service.

(18) The financial security shall not be applied to the following:

1) biogas production or composting plants the operator of which uses animal by-products and derived products for the biogas production or composting in accordance with Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation), and Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive, and for the operation of which a permit has been issued for the performance of a polluting activity in accordance with the laws and regulations regarding pollution;

2) waste water treatment plants for the operation of which a permit has been issued for the management of sewage sludge generated by waste water treatment plants in accordance with the laws and regulations regarding pollution.

(19) A deposit system operator which, in accordance with the procedures laid down in the Packaging Law, has entered into a contract with the State Environmental Service for the ensuring of the operation of a deposit system in the entire territory of Latvia and has submitted a financial security to the State Environmental Service in accordance with the Natural Resources Tax Law shall not submit a separate financial security to the State Environmental Service for obtaining a permit for the activities referred to in Paragraph one of this Section or for the recycling or recovery of waste in accordance with the laws and regulations regarding pollution.

(2) The Cabinet shall determine:

1) the procedures for the issue and cancellation of permits for the collection, transport, reloading, sorting, or storage of waste;

2) the requirements to be set in the waste management permits;

3) the forms for the permits for the collection, transport, reloading, sorting, or storage of waste;

4) [30 April 2015];

5) [30 April 2015];

6) the procedures for the issue and cancellation of a permit for the digging up of the re-cultivated waste dump and resorting of waste, the requirements to provided for in the permit, the requirements for repeated re-cultivation of the waste dump after its digging up and resorting of waste (including the requirements for the monitoring of the repeatedly re-cultivated waste dump after re-cultivation);

7) the procedures by which the waste manager submits the financial security to the State Environmental Service, the prolongation or renewal thereof;

8) the procedures for requesting the financial security, the amount thereof, and the conditions for the differentiation of the amount thereof, the time period for issuing, prolonging, or renewing the security, and also samples of financial security documents;

9) the procedures by which a waste dealer or waste management broker shall submit the financial security to the State Environmental Service, the prolongation or renewal thereof;

10) the procedures for requesting the financial security for the trade in waste and waste management brokerage, the amount thereof, the time period for issuing, prolonging, or renewing the security, and also samples of financial security documents.

(3) The waste manager referred to in Paragraph one of this Section shall pay the State duty for issue of the permit for collection, transport, reloading, sorting, or storage of waste and for digging up of the re-cultivated waste dump and resorting of waste. The amount for the State duty and the procedures for the payment thereof shall be determined by the Cabinet.

(4) Legal persons which store hazardous waste or production waste for more than three months shall receive a permit specified in Paragraph one of this Section for storage of waste for a period of time which does not exceed one year prior to disposal of waste in a landfill site or for a period of time which does not exceed three years before recovery of waste.

(5) A manager of hazardous waste or production waste shall:

1) receive the permit referred to in Paragraph one of this Section for the collection, transport, reloading, sorting, or storage of hazardous waste or production waste;

2) receive a permit for the recovery or disposal of hazardous waste or production waste in accordance with the laws and regulations regarding pollution.

(6) The permits referred to in Paragraph one of this Section shall not be required for the following:

1) collection points for separately collected municipal waste and separately collected municipal hazardous waste, including portable batteries and accumulators, which are placed at the sales points;

2) the waste producer or holder for the collection of waste in the possession thereof and for the temporary storage prior to transferring such waste to the waste manager.

[*27 March 2014; 7 December 2017; 25 October 2018; 9 July 2020*]

**Section 12.1** (1) Prior to the commencement of the relevant activities a waste dealer or a waste management broker shall register with the State Environmental Service. The Cabinet shall determine the procedures for the registration of waste dealers and waste management brokers by the State Environmental Service.

(2) The waste dealer or waste management broker may perform the relevant activities if a contract has been entered into with the waste manager which has received a permit for the activities referred to in Section 12, Paragraph one, Clause 2, 5, or 6 of this Law or for recycling and recovery.

(3) The waste dealer or waste management broker shall notify the State Environmental Service of the contracts entered into, and also the transactions performed, indicating the type, volume, and recipient of waste or secondary raw materials.

(4) The Cabinet shall determine the procedures by which the waste dealer or waste management broker notifies of the contracts entered into and the transactions performed.

(5) In order to register with the State Environmental Service, the waste dealer and the waste management broker shall submit a financial security to the State Environmental Service in accordance with the requirements of Section 12, Paragraph 1.2 of this Law.

(6) The waste dealer and the waste management broker are not entitled to perform any activities regarding the trade in waste or waste management brokerage without a valid financial security. The waste dealer and the waste management broker shall maintain the financial security valid at all times while it is registered with the State Environmental Service. If during this time the waste dealer or the waste management broker does not have a valid financial security, registration activity of the waste dealer or the waste management broker shall be suspended until the financial security is submitted to the State Environmental Service.

(7) If the waste manager has been registered with the State Environmental Service as a waste dealer or waste management broker and has obtained a permit for the performance of the activities referred to in Section 12, Paragraph one of this Law, or a permit for the recycling or recovery of waste in accordance with the laws and regulations regarding pollution, or a waste management permit in accordance with Paragraph one of this Section, it shall submit a financial security to the State Environmental Service in accordance with Section 12, Paragraph 1.7 of this Law and a financial security for the trade in waste or waste management brokerage.

(8) The State Environmental Service shall request the compensation of the financial security either in full or partial amount depending on the fulfilment of obligations of the waste dealer or waste management broker in order to cover expenditures related to the collection, transportation, storage, recycling, or disposal of waste if the waste has not been transported to the intended place as a result of activity or failure to act of the waste dealer or waste management broker.

(9) The State Environmental Service has the right to request that the provider of the financial security disburses the amount of the financial security within six months after expiry of the term of the financial security if the grounds for such disbursement have arisen in the term of operation of the financial security.

[*7 December 2017; 9 July 2020*]

**Section 13.** (1) A decision taken by the State Environmental Service in relation to a waste management permit may be contested to the Environment State Bureau in accordance with the procedures laid down in the Administrative Procedure Law. A decision of the Environment State Bureau may be appealed in the Administrative District Court in accordance with the procedures laid down in the Administrative Procedure Law. An application to a court shall not suspend the operation of the administrative act.

(2) If according to the conditions of a waste management permit it is possible to commence or continue such polluting activities which may cause significant negative impact on the environment or endanger human life or health, the conditions of the permit may be disputed at any time while it is in effect.

(3) If a decision is disputed in the Environment State Bureau in accordance with Paragraphs one and two of this Section, the operation of the relevant permit shall not be suspended. If the continuation of the operation of the permit may cause significant negative impact on the environment, the Environment State Bureau shall take a decision to suspend the operation of the relevant permit.

(4) If a decision is contested on the operation of such existing facilities for which it is necessary to extend the time period of the waste management permit or another type of permit is necessary, the operation of the facilities shall not be suspended, except for the case where the operation of the facilities is suspended in accordance with the procedures laid down in the laws and regulations regarding pollution.

**Section 14.** (1) The State Environmental Service shall, on regular intervals accordingly, control the operation of a waste manager, and also the operation of such merchant which generates waste, in accordance with the laws and regulations in the field of waste management and the relevant permit, particularly in respect of origin, properties, quantity of the collected and transported waste and destination of transport thereof. If there is a reasonable suspicion of violation of the requirements of the laws and regulations in the field of waste management, violation of the conditions of a waste management permit or a permit for the performance of polluting activities, and also in the cases where responsible officials of the merchant have been involved in the violation of the requirements of the laws and regulations regarding environmental protection, the State Environmental Service has the right to perform control of the waste stream, using technical means.

(11) The State Environmental Service shall maintain a website regarding separate collection of waste at www.skiroviegli.lv (hereinafter – the waste sorting website) and ensure the operation thereof. The Cabinet shall determine the requirements for the amount of the information to be posted on the waste sorting website regarding publicly accessible points for separate collection of waste and fields for separate collection of waste, and the procedures for entering and updating such information.

(2) The Health Inspectorate shall, within the competence thereof, control the waste management referred to in Section 6, Clause 6 of this Law in medical treatment institutions.

[*29 March 2012; 27 March 2014; 9 July 2020*]

**Chapter V**

**Duties of Waste Producers, Holders, and Waste Managers**

**Section 15.** (1) The collection, reloading, sorting, storage, recovery, or disposal of waste shall be permitted only in places intended therefor.

(2) An owner or a lessee within whose property municipal waste has been generated has an obligation to ensure a place for a waste container and an access to the waste collection point for the vehicle of the waste manager who has entered into a contract with a local government for the municipal waste management.

(3) The local government may determine other techniques for waste collection in binding regulations, if a land owner within whose property municipal waste is generated cannot comply with the provisions of Paragraph two of this Section due to objective reasons.

(4) A land owner within whose property municipal, hazardous, and production waste is placed illegally in a place not intended for that purpose shall transfer such waste to a waste manager who has received a permit for the relevant waste management, shall cover the management costs for such waste and is entitled to request compensation for losses from the producer of such waste. If the producer of the relevant waste is established, the waste management costs shall be covered by the producer of the relevant waste.

**Section 16.** (1) The original producer or holder of municipal waste shall participate in the management of municipal waste organised by a local government, including separate collection of waste by complying with the laws and regulations regarding waste management (also with the binding regulations issued by the local government) and entering into a contract for the collection and transport of municipal waste with the waste manager which has entered into a relevant contract with the local government in accordance with Section 18 of this Law.

(11) The original producer, holder or former holder of municipal waste shall cover all the costs related to the management of the municipal waste generated by it, including management of hazardous waste generated in households, that also include those related to the necessary infrastructure and operation thereof.

(2) The owner, possessor, user of a summer cottage or a summer residence (including summer cottages and summer residences situated within the territory of a horticultural association) or another building of temporary residence or a person authorised by him or her shall, in conformity with the laws and regulations regarding waste management (also the binding regulations issued by the local government) and in accordance with Paragraph one of this Section, enter into a contract for the collection, transport, reloading, and storage of municipal waste with the waste manager who has entered into a relevant contract with the local government, and also cover all costs related to the management of municipal waste generated by him, including municipally generated hazardous waste.

(3) A municipal waste manager who has been selected by the local government in accordance with the procedures provided for in this Law shall enter into a contract with waste producers and holders present within the administrative territory of the local government for the municipal waste management, determining a time period of the contract which is not longer than the time period of the contract which has been entered into by and between the municipal waste manager and the local government.

(4) The initial producer of municipal waste, possessor, or person referred to in Paragraph two of this Section shall enter into a contract with the municipal waste manager for the collection and transport of municipal waste not later than within two months from the day when the local government has informed the manager of municipal waste with which it has entered into a contract for the collection, transport, reloading, sorting, and storage of municipal waste in the relevant municipal waste management zone.

(5) If until entering into the contract referred to in Paragraph four of this Section the initial producer of municipal waste, holder, or the person referred to Paragraph two of this Section has notified the waste manager in writing or otherwise of the necessity to receive the municipal waste management service:

1) the municipal waste manager has an obligation to provide the waste management service;

2) the initial producer of municipal waste, holder, or the person referred to in Paragraph two of this Section has an obligation to cover all costs related to the management of municipal waste generated thereby.

[*30 April 2015; 17 November 2016; 7 December 2017; 30 January 2020; 9 July 2020*]

**Section 17.** (1) The initial producer or holder of hazardous waste or production waste shall:

1) separate hazardous waste or production waste from other types of waste;

2) store hazardous waste or production waste so that it does not threaten the environment, human life and health, and also the property of persons;

3) deliver the hazardous waste or production waste to specially equipped collection sites of hazardous waste or production waste or enter into a contract with the relevant waste manager for the hazardous waste or production waste management;

4) cover the costs of hazardous waste or production waste management.

(11) The initial producer, holder or former holder of hazardous waste or production waste shall cover all the costs related to the management of hazardous waste or production waste, including those related to the necessary infrastructure and operation thereof.

(2) A producer of production waste may enter into a contract with the waste manager referred to in Section 18, Paragraph one of this Law for the management of the generated production waste.

(3) Recovery or disposal facilities of the relevant waste shall be specified in the contract referred to in Paragraph one, Clause 3 and Paragraph two of this Section.

(4) A manager of hazardous waste or production waste shall organise specially equipped hazardous waste or production waste collection sites.

(5) The Cabinet shall determine the procedures by which a producer or manager of hazardous waste (except for municipal hazardous waste) shall ensure identification, record-keeping, packing, marking of generated or managed hazardous waste and keeping of transport records.

(6) The Cabinet shall determine the procedures by which keeping of transport records shall be performed by an institution authorised by the Ministry of Environmental Protection and Regional Development or a merchant which has been delegated such task by the Ministry of Environmental Protection and Regional Development, by entering into a delegation contract in accordance with the procedures laid down in the State Administration Structure Law, and also the fee for keeping of transport records of hazardous waste and the procedures for payment thereof.

(7) The merchant referred to in Paragraph six of this Section shall, in relation to the fulfilment of the task – to perform keeping of transport records of hazardous waste – be subordinate to the Ministry of Environmental Protection and Regional Development.

(8) The Cabinet shall determine the procedures for the management of certain types of waste for the management of which special requirements are to be set because of their hazardousness or other properties, including waste oil products, waste containing polychlorinated biphenyls and polychlorinated terphenyls, waste batteries and accumulators, waste from the titanium dioxide industry, and asbestos waste.

(9) The Cabinet shall determine the procedures for ensuring of record-keeping of construction waste generated or managed and transport thereof by a construction waste producer or manager.

(10) The Cabinet shall determine the procedures by which keeping of transport records of construction waste shall be performed by an institution authorised by the Ministry of Environmental Protection and Regional Development or a merchant which has been delegated such tasks by the Ministry of Environmental Protection and Regional Development, by entering into a delegation contract in accordance with the procedures laid down in the State Administration Structure Law, and also the fee for the keeping of transport records of construction waste and the procedures for payment thereof.

(11) The merchant referred to in Paragraph ten of this Section shall, in relation to the fulfilment of the task – to perform keeping of transport records of construction waste – be subordinate the Ministry of the Environmental Protection and Regional Development.

[*16 December 2020; 6 November 2013; 9 July 2020*]

**Section 17.1**(1) The operator of a waste recycling or recovery facility or waste disposal facility shall, after receipt of municipal, production, construction, or hazardous waste for recycling, recovery, or disposal, make the relevant entry thereon in the State information system for record-keeping of waste transport.

(2) The Cabinet shall determine:

1) the procedures by which an institution authorised by the Ministry of Environmental Protection and Regional Development or a merchant on the basis of a delegation contract keeps records of municipal, production, construction, or hazardous waste received for recycling, recovery, or disposal in the State information system for record-keeping of waste transport;

2) the fee for keeping the records of municipal, production, construction, or hazardous waste received for recycling, recovery or disposal, and the procedures for paying it;

3) the procedures by which a person who performs recycling, recovery, or disposal activities of municipal, production, construction, or hazardous waste confirms the receipt of transport;

4) the procedures by which the operator of a waste recycling, recovery, or disposal facility notifies of the receipt of municipal, production, construction, or hazardous waste for the recycling, recovery, or disposal;

5) the procedures by which the waste dealer or waste management broker ensures record-keeping of the transported municipal, production, construction, or hazardous waste in the State information system for record-keeping of waste transport;

6) the content of the State information system for record-keeping of waste transport and the provisions and the procedures for processing (submitting, updating, storing, requesting and providing) the data included in the information system.

(3) If keeping of records in the State information system for record-keeping of waste transport is ensured by a merchant on the basis of a delegation contract, such merchant shall be subordinate to the Ministry of Environmental Protection and Regional Development.

[*7 December 2017; 9 July 2020*]

**Section 18.** (1) A local government shall, in accordance with the procedures laid down in the laws and regulations governing public procurement or public-private partnership, select a waste manager which will perform the collection, transport, reloading, sorting, and storage of municipal waste and construction waste generated in households in the relevant municipal waste management zone, determining the economically most advantageous offer as the criterion for selecting an offer.

(11) The local government shall organise a joint public procurement or public-private partnership procedure when selecting the waste manager which will perform the collection, transport, reloading, sorting, and storage of the municipal waste and construction waste generated in households within a waste management zone, or a separate public procurement or public-private partnership procedure when selecting the waste manager which will perform the collection, transport, reloading, sorting, and storage of the municipal waste and construction waste generated in households.

(2) The local government shall include in the work task the requirements in relation to the qualification of employees of the tenderer, the ability to perform the management of municipal waste and the technical or financial capacity to perform the management of municipal waste in a particular zone, and also indicate a landfill site where the municipal waste generated in the administrative territory of this local government shall be disposed of according to the regional waste management plan. The Cabinet shall determine the minimum requirements to be included by the local government in the work task.

(3) Local governments, upon mutual agreement, may determine a joint municipal waste management zone in which administrative territories of several local governments of one waste management region are included.

(4) In order to ensure the continuity of the provision of the management service of municipal waste or construction waste generated in households, a local government shall ensure the announcement of a public procurement or public-private partnership procedure regarding the provision of a waste management service 12 months prior to expiry of the term of the contract entered into with the waste manager.

(5) Within the scope of the public procurement or public-private partnership procedure, a tenderer (candidate) of management of municipal waste or construction waste generated in households shall submit an extended calculation of the payment for the management of municipal waste or construction waste generated in households to the local government.

(6) The local government shall enter into a contract with the waste manager which has been selected in accordance with the procedures laid down in the laws and regulations governing public procurement or public-private partnerships and which will perform the collection of municipal waste within the relevant municipal waste management zone after expiry of the previous contract, including separate collection, transport, reloading, sorting, and storage or collection, transport, reloading, sorting, and storage of construction waste generated in households. Each local government shall enter into a contract with the selected waste manager separately in the case specified in Paragraph three of this Section.

(61) If after expiry of the term of the contract referred to in Paragraph six of this Section a local government has not entered into a new contract with the waste manager, until entering into a new contract it may continue cooperation with the current waste manager, but for not longer than for six months after expiry of the term of the contract referred to in Paragraph six of this Section.

(62) If the waste manager is not willing or able to ensure the activity in accordance with the contract entered into, a local government has an obligation to arrange the negotiated procedure in accordance with the laws and regulations governing public procurements in order to select a temporary waste manager until selection of the waste manager in accordance with the procedures laid down in Paragraph one of this Section.

(7) The local government and the waste manager shall enter into the contract referred to in Paragraph six of this Section for a time period which is not less than three years and not more than seven years. The contract in accordance with the procedures laid down in the laws and regulations regarding public-private partnership may be entered into for a time period which does not exceed 20 years.

(8) The local government shall inform the waste producers, and also the persons referred to in Paragraph nine of this Section, within the administrative territory thereof, of the division of such territory into municipal waste management zones and of the municipal waste manager with which it has entered into a contract for the collection, transport, reloading, sorting, and storage of municipal waste in the relevant municipal waste management zone within one month after the day of entering into such contract. Contracts for the collection, transport, reloading, sorting, and storage of municipal waste which have been entered into by a waste producer or holder and a municipal waste manager that has not entered into a contract with the local government shall become invalid within three months from the day when the local government has entered into a contract with a municipal waste manager on the collection, transport, reloading, sorting, and storage of municipal waste within the administrative territory thereof.

(9) Persons who are the contracting authorities within the meaning of the laws and regulations regarding public procurement or public partnerships within the meaning of the laws and regulations regarding public-private partnerships, need not perform a public procurement or public-private partnership procedure for municipal waste collection and transport, but rather enter into a contract for the collection, transport, reloading, sorting, and storage of municipal waste with the waste manager which has been selected by the local government in accordance with the procedures laid down in this Section.

(10) [30 April 2015]

(11) The Cabinet shall determine the essential provisions of a contract between the local government and the waste manager, and also the essential provision of a contract between the waste producer and the waste manager.

[*30 April 2015; 17 November 2016; 30 January 2020*]

**Section 19.** (1) It is prohibited to mix hazardous waste of different categories, and also to mix hazardous waste with municipal waste or production waste.

(2) In order to ensure the management of hazardous waste in accordance with the requirements of Section 4 of this Law, a producer, owner, or manager of hazardous waste shall, in the case where the hazardous waste, except for the hazardous waste generated in households, is mixed without complying with the requirements of Paragraph one of this Section, perform separation of the mixed waste, where possible, taking into account technical and economic capabilities. If it is impossible to separate the mixed waste, the producer, owner, or manager of hazardous waste shall ensure that the mixed waste is managed by an owner or manager of the facilities referred to in Section 21, Paragraph one of this Law.

[*27 March 2014; 30 April 2015; 9 July 2020*]

**Section 20.** (1) The initial waste producer or holder may:

1) perform recovery or disposal of the generated waste or waste in the possession thereof, if he or she has received the relevant permit for the performance of Category A or B polluting activities in accordance with the laws and regulations regarding pollution;

2) ensure that recovery or disposal of the generated waste or waste in the possession is performed by a waste manager which has received the relevant permit for the performance of Category A or B polluting activities in accordance with the laws and regulations regarding pollution;

3) ensure that recovery or disposal of the generated waste or waste in the possession is organised by waste managers which perform the collection and transport of waste in accordance with the provisions of Section 16 of this Law regarding municipal waste or the provisions of Section 17 of this Law regarding hazardous waste and production waste;

4) collect himself or herself separately the waste generated by himself or herself or waste in his or her possession and deliver separately the collected waste for recycling to the merchant which has received the relevant permit for the performance of Category A or B polluting activities in accordance with the laws and regulations regarding pollution.

(2) Taking into account the requirements of Section 4 of this Law, waste managers which are performing the collection and transport of waste shall ensure the delivery of the collected and transported waste to the facilities in which waste is recovered or disposed, and also the preparation of waste for recovery or disposal and the operator of which has received the relevant permit for the performance of polluting activities in accordance with the laws and regulations regarding pollution.

(3) The waste management merchant shall ensure that the preparation of waste for re-use, the recycling, or any other recovery activities are performed in conformity with the requirements of Sections 4 and 5 of this Law. For this purpose, waste shall be collected separately and shall not be mixed with other waste or materials which have different properties or which reduce the quality of the separately collected waste. The Cabinet shall determine the requirements for the separate collection of waste.

(31) The waste management merchant shall ensure that, before and after waste recovery, the dangerous substances, mixtures thereof and components produced from hazardous waste are separated from the waste intended for recovery or from the waste subject to recovery activities in order to ensure conformity with the requirements of Sections 4 and 5 of this Law and to facilitate waste recovery.

(4) In accordance with the State waste management plan and regional waste management plans, a local government shall, in cooperation with the waste manager referred to in Section 18, Paragraph one of this Law, organise separate collection of municipal waste, including at least paper, metal, plastic, glass, textiles, hazardous waste generated in households, and biological waste, in the administrative territory of the local government according to the categories and within the time period stipulated by the Cabinet.

(5) The local government, the waste manager referred to in Section 18, Paragraph one of this Law, and the waste manager who performs preparation of waste for re-use, recycling, or material recovery shall ensure preparation of the waste referred to in Paragraph four of this Section for re-use, recycling, and material recovery thereof according to the objectives stipulated by the Cabinet in respect of the preparation of waste for re-use, recycling, and material recovery. The Cabinet shall determine the requirements for the determination of the amount of waste and food waste intended for re-use.

(51) In order to accomplish the objectives referred to in Paragraph five of this Section, separately collected waste may not be incinerated without energy recovery, except for waste arising from recycling or recovery of separately collected waste, provided that incineration of such waste is less harmful to the environment than disposal thereof in accordance with Section 4 of this Law.

(6) The activities referred to in Paragraph five of this Section may be performed by the owner or manager of landfill site, if the relevant permits have been received.

(7) Performers of construction work whose economic activities result in construction waste which is not hazardous and waste managers that prepare construction waste for re-use, perform recycling or material recovery thereof, including use thereof to fill excavated voids, shall, in the amount and within the time period stipulated by the Cabinet, ensure the preparation of construction and demolition waste for re-use, the recycling or material recovery thereof, including the use thereof to fill excavated voids, as specified in the Cabinet regulations.

(71) The performer of construction work referred to in Paragraph seven of this Section and the construction waste manager with which the performer of construction work has entered into a contract for the management of the waste generated in construction work or during the process of demolition of structures shall ensure that:

1) dangerous substances are separated from the construction waste and managed in a manner that is safe for the environment and human life and health;

2) reusable and recyclable materials are separated from the construction waste in order to facilitate re-use and high quality recycling of the construction waste;

3) a system for sorting waste generated in construction work and during the process of demolition of structures is in place at least for wood, fractions containing minerals (concrete, bricks, tiles and ceramics, stones), metals, glass, plastic, and plaster.

(8) The Cabinet shall determine the procedures, time period, and form in which the persons referred to in Paragraphs four, five, six, and seven of this Section, and also merchants which use waste as fuel or raw material in the production within the scope of economic activity, shall submit a report on the amount and types of waste prepared for re-use, recycled, and recovered waste in the previous calendar year.

(81) The Ministry of Environmental Protection and Regional Development shall evaluate whether the preparation of municipal waste for re-use, the recycling and material recovery thereof achieve the specified objectives. The Cabinet shall determine the criteria according to which the achievement of the objectives in respect of the preparation of waste for re-use, the recycling and material recovery thereof is assessed. After the Ministry of Environmental Protection and Regional Development has evaluated whether the preparation of municipal waste for re-use, the recycling and material recovery thereof have achieved the specified objectives, it shall publish on its website a relevant list which includes the local governments, the waste managers referred to in Section 18, Paragraph one of this Law, and the waste managers performing preparation of waste for re-use, the recycling or recovery thereof that have not achieved the specific objectives.

(9) Waste which is not recovered shall be disposed in a landfill site where it is allowed to dispose waste, or dispose it in another way for which a permit has been issued in accordance with the laws and regulations regarding pollution, taking into account the State waste management plan and regional plans.

(10) According to the State waste management plan and regional plans production waste shall be disposed in a municipal landfill site, but the production waste which is considered as hazardous – in a hazardous landfill site.

(11) The Cabinet shall determine the criteria and procedures for the assessment of the availability of the service of separate waste collection to inhabitants.

[*29 April 2012; 27 March 2014; 17 November 2016; 9 July 2020*]

**Section 21.** (1) Municipal waste generated in the administrative territories of such local governments which are located in the relevant waste management region shall be disposed only in the municipal landfill site of the relevant waste management region or transferred to the relevant reloading stations. The local government shall enter into a contract with the manger of such landfill site for the disposal of municipal waste collected in the administrative territory thereof

(2) All municipal landfill sites in the administrative territories of such local governments which are located in the relevant waste management region shall be closed not later than within 30 days after commencement of the operation of the regional municipal waste landfill site. The closed landfill sites shall be recovered according to the State waste management plan and regional plans.

**Section 22.** (1) The owner or manager of a waste landfill site, waste dump, other waste disposal or waste recovery facility shall:

1) prior to the commencement of operation of the landfill site, other waste disposal or waste recovery facility, obtain permits specified in the laws and regulations regarding polluting activities governing the field of environmental protection;

2) manage the landfill site, waste dump, other waste disposal or waste recovery facility according to the permit for the performance of Category A or B polluting activities, this Law, and other laws and regulations governing the field of environmental protection;

3) take measures and cover the expenditures related to the closure and re-cultivation of the landfill site or waste dump, monitoring and maintenance of a closed landfill site (maintenance of the territory of a closed landfill site according to the fire safety requirements and maintenance of the insulating cover of the depository surface of a re-cultivated landfill site in accordance with the requirements laid down in the laws and regulations regarding management of landfill sites), and also the termination of the operation of the waste recovery or waste disposal facility.

(11) The owner or manager of a landfill site for municipal waste, a local government which has entered into a contract with the manager of a landfill site for municipal waste for the disposal of municipal waste, which has been collected in the administrative territory thereof, in the landfill site for municipal waste, and the waste manager referred to in Section 18, Paragraph one of this Law shall ensure that the amount of the municipal waste disposed of in the landfill site for municipal waste is reduced. The Cabinet shall determine the amount of and the time period for reduction of the amount of municipal waste disposed of in the landfill site for municipal waste.

(12) The Ministry of Environmental Protection and Regional Development shall evaluate whether the reduction of the amount of municipal waste disposed of in the landfill site for municipal waste achieves the specified objectives. The Cabinet shall determine the criteria according to which the achievement of the objectives in respect of the reduction of the amount of municipal waste disposed of in the landfill site for municipal waste is assessed. After the Ministry of Environmental Protection and Regional Development has evaluated whether the reduction of the amount of municipal waste disposed of in the landfill site for municipal waste has achieved the specified objectives, it shall publish on its website a relevant list which includes the owners or managers of landfill sites for municipal waste which have not achieved the specific objectives.

(2) The Cabinet shall determine:

1) the types of waste recovery and disposal;

2) the requirements for the arrangement of landfill sites, management of landfill sites and waste dumps and closure and re-cultivation of such landfill sites and waste dumps, and also the procedures by which landfill sites shall be closed and re-cultivated;

3) the requirements for the incineration of waste, including hazardous waste, and for the operation of waste incineration facilities;

4) the procedures for a manager of a landfill site to measure the contents, mass, and volume of the waste disposed of in the landfill site;

5) the criteria for the establishment that the municipal waste has been prepared for disposal;

6) the procedures, time periods for and the manner in which the owner or manager of a landfill site for municipal waste submits a report on the reduction of the amount of municipal waste disposed of in the landfill site for municipal waste.

(3) The owner or manager of a municipal landfill site shall ensure that municipal waste or production waste is prepared for disposal in the relevant landfill site, or that waste prepared for disposal is accepted in the landfill site, if preparation of municipal waste is not performed in the relevant landfill site.

(4) The owner or manager of a landfill site, when obtaining the permit prior to the commencement of operation of the landfill site, shall provide financial or equal security with a view to ensuring the fulfilment of the requirements laid down in the relevant permits, also requirements regarding the closure of a landfill site and environmental monitoring to be performed after the closure of the landfill site.

(5) [*Paragraph shall come into force on 1 January 2030 and shall be included in the wording of the Law as of 1 January 2030.* *See Paragraph 51 of Transitional Provisions*]

[*30 April 2015; 17 November 2016; 9 July 2020*]

**Section 23.** (1) Waste managers which are performing waste collection or transport, preparation of waste for recovery or disposal, recovery or disposal of waste, digging-up of a closed or re-cultivated waste dump and resorting of waste, waste dealers and waste management brokers, producers of hazardous waste, except for producers of municipal hazardous waste shall:

1) record the amount (volume), type, origin, frequency of collection and transport, type and place of recovery or disposal of the waste managed or generated in chronological order and store such information for at least for three years;

11) provide information on the amount of products and materials resulting from the preparation for re-use, recycling, or other recovery activities;

2) provide information electronically to the authority authorised by the Ministry of Environmental Protection and Regional Development on the amount (volume) of waste resulting from digging-up a closed or re-cultivated waste dump and on its storage, reloading, and transport, preparation for recovery or disposal, recovery or disposal, and store such information for at least three years;

3) upon request of a local government or according to a contract which has been entered into by and between the local government and the municipal waste manager, provide information to the local government on waste management, including the information referred to in Clause 1 of this Paragraph and information on the amount (volume), storage, reloading, sorting, and transport, and also preparation for recovery or disposal and recovery or disposal of the municipal waste collected in its administrative territory;

4) upon request provide information to other State authorities on waste management, including the information referred to in Clause 1 of this Paragraph and other environmental information.

(2) Waste managers which are collecting or transporting hazardous waste shall store the information referred to in Paragraph one of this Section for at least three years.

(3) Managers of hazardous waste shall, upon request of the previous holder of hazardous waste, issue a statement regarding the collection, storage, reloading, and transport, preparation for recovery or disposal, recovery or disposal of the relevant waste.

(4) Municipal, production, construction, or hazardous waste holder or waste manager that performs transport of waste in the territory of the country to the recycling, recovery, or disposal sites thereof shall indicate in the State information system for record-keeping of waste transport the planned transport, the type and amount of the waste to be transported, except for cases where the transport of waste is performed for further resorting thereof which does not include preparation for recycling or recovery activity.

(5) The Cabinet shall determine:

1) the procedures by which the institution authorised by the Ministry of Environmental Protection and Regional Development or a merchant on the basis of a delegation contract shall keep records of the transport of municipal, production, construction, or hazardous waste in the State information system for record-keeping of waste transport;

2) the fee for keeping the records of municipal, production, construction, or hazardous waste to be transported to the recycling, recovery, or disposal site, and the procedures for paying it;

3) the procedures by which the municipal, production, construction, or hazardous waste holder or manager shall notify of the performance of transport;

4) the procedures by which the municipal, production, construction, or hazardous waste holder or manager that performs the transport of waste in the territory of the country to the recycling, recovery, or disposal sites thereof shall notify of the planned transport, the type and volume of the waste to be transported.

(6) If keeping of records in the State information system for record-keeping of waste transport is ensured by a merchant on the basis of a delegation contract, such merchant shall be subordinate to the Ministry of Environmental Protection and Regional Development.

[*16 December 2010; 30 April 2015; 17 November 2016; 7 December 2017; 9 July 2020*]

**Chapter VI**

**Requirements for the Management of Certain Types of Waste**

**Section 24.** (1) The Cabinet shall determine the categories of electrical and electronic equipment.

(11) Foreign producers of electrical and electronic equipment may authorise in writing a person who performs commercial activity in Latvia to take over the commitments in Latvia of the relevant foreign producer of electrical and electronic equipment in respect of the conformity with the requirements for the management of waste electrical and electronic equipment laid down in this Law. A producer of electrical and electronic equipment established in Latvia who is performing commercial activity in Latvia and, using a distance contract, sells electrical and electronic equipment in other Member State of the European Union where it does not carry out the commercial activity, shall authorise in writing a person established in the relevant Member State of the European Union to take over the commitments of the producer of electrical and electronic equipment in respect of the management of waste electrical and electronic equipment in the relevant Member State of the European Union.

(12) Electrical and electronic equipment shall be made available on the market for a charge or free of charge, supplying them for distribution, consumption, or use on the Latvian market, while performing commercial activity. Electrical and electronic equipment shall be placed on the market, initially making them professionally available on the market in the territory of Latvia.

(2) The Cabinet shall determine the procedures for the registration of producers of electrical and electronic equipment and authorised representatives thereof. Producers of electrical and electronic equipment or authorised representatives thereof shall be registered with the institution authorised by the Ministry of Environmental Protection and Regional Development or an association founded by producers of electrical and electronic equipment and which has been delegated such task by the Ministry of Environmental Protection and Regional Development. Producers of electrical and electronic equipment or authorised representatives thereof shall provide information to the institution authorised by the Ministry of Environmental Protection and Regional Development or the abovementioned association of persons on the quantity and categories of electrical and electronic equipment placed on the market of Latvia, and also on the quantity and categories of the collected, reused, recycled, recovered, and exported electrical and electronic equipment waste.

(3) The association referred to in Paragraph two of this Section and founded by persons who are producers of electrical and electronic equipment:

1) shall be subordinate to the Ministry of Environmental Protection and Regional Development in relation to the fulfilment of the State administration task – to perform registration of producers of electrical and electronic equipment;

2) upon performing the registration of producers of electrical and electronic equipment, is entitled to issue administrative provisions regarding registration of a producer of electrical and electronic equipment, refusal to register a producer of electrical and electronic equipment, and exclusion of a producer of electrical and electronic equipment from the register of producers of electrical and electronic equipment.

(4) Maintaining of the data of producers of electrical and electronic equipment shall be performed for a fee the amount and procedures for payment of which shall be determined by the Cabinet.

[*16 December 2010; 29 March 2012; 27 March 2014; 7 December 2017*]

**Section 25.** A producer of electrical and electronic equipment shall cooperate with merchants which carry out recycling of waste electrical and electronic equipment in order to facilitate the development and manufacture of electrical and electronic equipment so that it is possible to dismantle and recover them, and also to reuse, separate, and recycle such equipment, and the components and materials thereof. The requirements laid down in the laws and regulations regarding the requirements of eco-design shall be used in the development and manufacture of electrical and electronic equipment not using methods which make difficult the reuse of the abovementioned equipment waste, except for cases where the use of such methods significantly improve the application of environmental protection or safety requirements.

[*27 March 2014*]

**Section 26.** (1) A producer of electrical and electronic equipment shall ensure the collection, acceptance, processing, reuse, recycling, recovery, and disposal of electrical and electronic equipment waste, using the best available techniques.

(2) A producer of electrical and electronic equipment may himself or herself take the measures referred to in Paragraph one of this Section or enter into a contract with a manager of electrical and electronic equipment waste (a commercial company which shall organise and coordinate the management of such equipment waste on the basis of the contract entered into with the producer of electrical and electronic equipment).

(3) A producer of electrical and electronic equipment shall ensure that the acceptance of household electrical and electronic equipment waste in the established collection system is free of charge.

(4) A distributor of electric and electronic equipment which supplies new electric and electronic household equipment directly to a user thereof shall ensure the acceptance of waste electrical or electronic equipment without asking payment for this if the relevant electrical and electronic equipment is of equivalent type of electrical and electronic equipment and has fulfilled the same functions as the supplied electrical and electronic equipment.

(41) A distributor of electrical and electronic equipment shall provide for the collection, at retail shops with sales areas relating to electronic and electrical equipment of at least 400 square metres, or in their immediate proximity, of such electrical and electronic equipment, external dimension of which is not more than 25 centimetres, free of charge to end-users and with no obligation to buy electrical and electronic equipment of an equivalent or similar type. The distributor of electrical and electronic equipment shall ensure the management of electrical and electronic equipment in conformity with Paragraph five of this Section.

(5) The collected electrical or electronic equipment waste shall be transferred to operators of processing undertakings (facilities) if they have received the permits specified in laws and regulations, except for whole electrical or electronic equipment, which are intended for reuse.

(6) It is prohibited to dispose of separately collected electrical and electronic equipment waste which has not undergone the treatment.

[*27 March 2014; 7 December 2017*]

**Section 27.** (1) Until 13 August 2005, all producers of electrical and electronic equipment shall cover the costs of the waste management of household electrical and electronic equipment placed on the market.

(2) Until 13 August 2005, the costs of the waste management of such electrical and electronic equipment placed on the market which are not deemed to be household electrical and electronic equipment shall be covered by users of such equipment. The manufacturer of such equipment shall cover the costs of the abovementioned waste management if the equipment is replaced with new identical equipment or new equipment which performs equivalent functions.

(3) The manufacturers of household electrical and electronic equipment placed on the market prior to 13 August 2005 may, at the time of selling new equipment, provide the purchasers with information on the expenditures related to the collection, recovery, and disposal of such equipment in a safe manner.

(4) At the time of selling of household electrical and electronic equipment placed on the market of Latvia after 13 August 2005 information on the expenditures related to the collection, processing, and disposal of such equipment in a safe manner shall not be separately provided to the purchasers.

(5) After 13 August 2005 the costs of the collection and recovery of waste electrical and electronic equipment and waste household electrical and electronic equipment manufactured or placed on the market by a producer of electrical and electronic equipment itself, and also costs related to preparation of such waste for recovery, preparation for disposal and disposal in environmentally friendly way.

[*27 March 2014*]

**Section 28.** A manufacturer which places electrical and electronic equipment on the market after 13 August 2005 and has not chosen the types of electrical and electronic equipment waste management referred to in Section 26, Paragraph two of this Law shall, for the taking of the measures referred to in Section 26, Paragraph one of this Law, provide a guarantee with a bank guarantee or civil liability insurance.

**Section 29.** The Cabinet shall determine:

1) the requirements for the labelling of electrical and electronic equipment;

2) the requirements for the collection and processing of electrical and electronic equipment waste;

3) the volume and time periods for the collection, reuse, processing, and recovery of electrical and electronic equipment waste, and also the requirements for the provision of a report on the implementation of such activities;

4) the requirements to be observed for the provision of information to consumers, electrical and electronic equipment waste processing, reuse, recycling, and recovery equipment operators, and also the requirements for informing the general public and the European Commission.

**Section 30.** (1) A battery or accumulator is a source of electrical energy in which energy is generated by direct transformation of chemical energy and which consists of one or several primary (non-rechargeable) battery cells or secondary (rechargeable) battery cells.

(2) Batteries and accumulators are divided into the following categories:

1) a battery pack is a set of batteries or accumulators that are connected together or are encapsulated within an outer casing to form a complete unit, and the end user is not expected to split it up or to open it;

2) a portable battery or accumulator is any sealed battery, button cell, battery pack or accumulator that can be hand-carried and that is neither an industrial battery or accumulator nor a battery or accumulator designed for use in vehicles or other self-propelled machinery;

3) button cells are any small, round portable batteries or accumulators with a diameter greater than its height and which are used for special purposes such as in hearing aids, wrist watches, small portable equipment and back-up source for saving of data;

4) a battery or accumulator designed for use in vehicles or in other self-propelled machinery is a battery or accumulator that is used in order to operate the automotive starter, lighting or ignition of a vehicle or other self-propelled machinery (hereinafter – the batteries and accumulators of vehicles);

5) an industrial battery or accumulator is any battery or accumulator designed for exclusively industrial or professional use or that is used in any type of electric vehicle.

(3) The provisions of this Law shall apply to batteries and accumulators of all types regardless of their use, shape, volume, and weight or material composition.

(4) Battery or accumulator waste is any battery or accumulator that qualifies as waste within the meaning of the term “waste” as specified in Section 1, Clause 1 of this Law.

**Section 31.** (1) A producer of batteries and accumulators is any person in the European Union Member State that, regardless of the selling technique used and regardless of the distance contract, within the scope of his or her commercial activity or economic activity, places on the market for the first time batteries or accumulators, including batteries and accumulators incorporated into appliances or vehicles according to the commercial activity of the producer.

(2) A distributor of batteries and accumulators is any person that, within the scope of his or her commercial activity or economic activity, supplies batteries and accumulators to direct users.

(3) The Cabinet shall determine the procedures for the registration pertaining to producers of batteries and accumulators and the holder of the register. Producers of batteries and accumulators shall provide information for the register on the amount and types of batteries and accumulators placed on the market, on the amount and types of collected and processed, and also exported batteries and accumulators.

(31) The association referred to in Paragraph three of this Section and founded by persons who are producers of electrical and electronic equipment:

1) shall subordinate to the Ministry of Environmental Protection and Regional Development in relation to the fulfilment of the State administration task – to perform registration of producers of batteries or accumulators;

2) upon performing the registration of producers of batteries or accumulators, is entitled to issue administrative provisions regarding registration of a producer of batteries or accumulators, refusal to register a producer of batteries or accumulators, and exclusion of a producer of batteries or accumulators from the register of producers of batteries or accumulators.

(4) Maintaining of the data of producers of batteries or accumulators shall be performed for a fee the amount and procedures for payment of which shall be determined by the Cabinet.

[*29 March 2012*]

**Section 32.** Placing of batteries and accumulators on the market shall mean that batteries and accumulators are supplied or made available, for a fee or free of charge, to third persons within the territory of the European Union, also importing in the customs territory of the European Union.

[*7 December 2017*]

**Section 33.** (1) A producer of batteries and accumulators shall ensure the acceptance, collection, processing, and recycling of battery and accumulator waste, using the best technical methods available in conformity with the health and environmental protection principles and the laws and regulations regarding pollution.

(2) A producer of batteries and accumulators may take the measures referred to in Paragraph one of this Section himself or herself, or may enter into a contract with a merchant which, on the basis of the contract entered into, shall organise and coordinate battery and accumulator waste management.

(3) Any producer of batteries and accumulators, distributor, or waste manager which performs collection, processing, and recycling of batteries and accumulators, and also State and local government institutions may participate in the measures referred to in Paragraphs one and two of this Section.

(4) The measures referred to in Paragraphs one and two of this Section shall apply to batteries and accumulators for the importation of which from third countries discriminating provisions have not been applied, without limitation of selling of the abovementioned batteries and accumulators and preventing activities restricting competition.

[*29 March 2012*]

**Section 34.** (1) Waste from portable batteries and accumulators shall be collected or accepted free of charge, without obligating the direct users to purchase a new battery or accumulator, even if collection or acceptance is ensured by the distributor of batteries and accumulators.

(2) A producer or distributor of batteries and accumulators for vehicles shall ensure the waste collection from such batteries and accumulators, also using collection points that are located in the proximity of direct users, or ensure the acceptance of such batteries from private land vehicles or other self-propelled machinery not intended for commercial purposes (non-commercial vehicles) free of charge without obligating to purchase a new battery or accumulator.

(3) A producer or distributor of industrial batteries and accumulators shall ensure the collection and acceptance of waste from such batteries and accumulators regardless of the chemical composition and origin of such batteries and accumulators.

[*29 March 2012*]

**Section 34.1** (1) Producers of batteries or accumulators or authorised representatives thereof shall ensure that all costs for the collection, processing, and recycling of portable batteries and accumulators, batteries and accumulators for vehicles, and also batteries and accumulators used in industry collected within the scope of the measures referred to in Section 33, Paragraphs one and two of this Section are covered.

(2) Paragraph one of this Section shall not be applied to waste from batteries and accumulators that were collected in accordance with the laws and regulations regarding electrical and electronic equipment waste management or regarding management of end-of-life vehicles in order to prevent double payment for the collection, processing and recycling of the abovementioned waste.

(3) Producers of batteries or accumulators or authorised persons thereof shall ensure that all costs for those measures of informing of the public are covered which refer to collection, processing, and recycling of all types of portable batteries and accumulators.

(4) The costs for collection, processing, and recycling of the relevant battery and accumulator waste shall not be specified separately for direct users of batteries and accumulators at the time of selling.

(5) Producers of batteries or accumulators for vehicles, and also producers of batteries and accumulators used in industry, or authorised persons thereof may enter into agreements that provide for other procedures for covering of costs than specified in Paragraph one of this Section.

(6) The requirements of this Section shall apply to all types of battery and accumulator waste regardless of the time of placing on the market.

[*29 March 2012*]

**Section 35.** Waste from industrial batteries and accumulators and waste from vehicle batteries or accumulators shall neither be accepted for disposal at landfill sites, nor incinerated. Residues from the processing and recycling of battery or accumulator waste may be disposed of in landfill sites or may be incinerated.

**Section 36.** The Cabinet shall determine:

1) the requirements to be set for the collection, processing, and recycling of battery and accumulator waste;

2) the volumes and time periods for the collection and recycling of batteries and accumulators, and also the requirements in relation to how a report on the performance of such activities is to be given.

**Section 37.** (1) [30 April 2015]

(2) The measures which facilitate the use of environmentally safe materials produced from biological waste, the separate collection of biological waste with a view to the recovery, composting, and recycling, and also measures for treatment of biological waste in accordance with the requirements of Section 4 of this Law shall be provided for in the State waste management plan and regional plans.

(3) Biological waste shall be composted in municipal landfill sites or places which are specially constructed for composting of biological waste or recycled in another way, if a permit for the performance of the relevant activity has been received.

[*30 April 2015*]

**Chapter VII**

**Payment for the Waste Management**

**Section 38.** (1) Payment for the collection, transport, reloading, storage, and recovery of hazardous waste or production waste or for the disposal of production waste in a municipal landfill site shall be determined by the producer or holder of hazardous waste or production waste in agreement with the waste manager which performs the relevant waste management activities.

(2) Payment for the disposal of hazardous waste shall be determined in accordance with the procedures stipulated by the Cabinet.

(3) Payment for the disposal of production waste in a hazardous landfill site shall be the same as payment for the disposal of hazardous waste in the relevant hazardous landfill site.

**Section 39.** (1) The fee for unsorted municipal waste management (except for municipal waste recovery) for the initial producer or holder of waste shall consist of:

1) the fee approved by the decision of a local government for the collection, transport, reloading, sorting of the municipal waste and other activities specified in laws and regulations which are performed before waste recovery and which reduce the volume of disposable waste, for the storage, maintenance of separate waste collection, reloading, and sorting infrastructure objects according to a contract which has been entered into by and between the local government and the waste manager;

2) the tariff for municipal waste disposal at landfill sites approved by the Public Utilities Commission.

(11) The fee referred to in Paragraph one, Clause 1 of this Section shall be reduced by the share of income obtained by the waste manager from the sale of the sorted waste.

(12) If another tariff for municipal waste disposal at a landfill site has been approved during the term of the contract in accordance with the procedures laid down in laws and regulations, the waste manager shall include the approved tariff in the waste management fee from the day of the entry into effect of the tariff.

(2) The waste manager which has been selected by the local government in accordance with Section 18 of this Law shall ensure the collection, transport, reloading, sorting, storage of municipal waste, maintaining of separate waste collection, sorting, and reloading infrastructure objects for the same charge for all municipal waste producers in the relevant waste management zone according to the contract entered into with the local government in accordance with the procedures laid down in this Law.

(21) [7 December 2017]

(22) The waste manager, upon accepting the unsorted municipal waste from a waste producer, shall collect the tariff payment for municipal waste disposal at landfill sites for the entire amount of the unsorted municipal waste which is transferred for management.

(3) Waste composting costs shall be included:

1) in the tariff for the disposal of municipal waste, if biological waste is composted in the municipal landfill site;

2) in the payment for the municipal waste management, if biological waste is composted at places which are specially constructed for composting of biological waste.

(4) Each year by 30 June the local government shall assess the payment for management of the municipal waste. The payment shall be re-calculated if the total sum of the following components of the payment change by at least 10 per cent:

1) as a result of applying the measurement ratio of the waste volume and mass proportion to the costs referred to in Paragraph one, Clause 1 of this Section;

2) [7 December 2017];

3) the income share which is obtained by the waste manager as a difference in the tariff payment for the disposal of municipal waste in landfill sites between the amount of the collected municipal waste and the one that has been transferred to the landfill site.

(5) The waste manager shall ensure determination of the municipal waste that has been collected, transferred for recovery, and transferred to a landfill site, in tonnes. The waste manager shall inform the local government of the mass of municipal waste that has been collected, transferred for recovery, and transferred to the landfill site, in accordance with the procedures stipulated by the Cabinet.

(6) The Cabinet shall determine:

1) the procedures for measuring the proportion of mass and volume of municipal waste by a waste manager and the conditions for the performance of measuring;

2) the procedures for determining a ratio for conversion from units of volume to units of mass;

3) the time periods and procedures for a waste manager to inform a local government of the measurements of the waste mass and volume and on the ratio to be applied.

[*30 April 2015; 17 November 2016; 7 December 2017 /* *See Paragraphs 28, 30, 32.2, and 35 of Transitional Provisions*]

**Section 40.** The tariff for the disposal of municipal waste in a landfill site shall be determined in accordance with the procedures laid down in the law On Regulators of Public Utilities according to the methods that have been stipulated by the Public Utilities Commission for calculating the tariff of the municipal waste disposal service.

[*17 November 2016*]

**Section 41.** (1) The tariff for the disposal of municipal waste shall include:

1) costs related to the arrangement and exploitation of a landfill site, costs related to reloading station of a landfill site, and costs for the conveyance of accepted waste or municipal waste prepared for disposal from reloading station of a landfill site to a landfill site;

2) costs related to the preparation of waste for disposal, regular covering of waste layer with inert coating;

3) costs for the financing of such educating measures of the public which are aimed at educating of waste producers of the relevant waste management region in the field of waste management;

4) costs related to the financial guarantee or equal guarantee by the landfill site manager;

5) landfill site closure and re-cultivation costs;

6) costs related to the monitoring and maintenance of a closed landfill site at least for 30 years subsequent to the closure of the landfill site;

7) costs related to the reduction of the amount of biologically degradable waste to be disposed of, including recovery of biologically degradable waste;

8) costs of the research and development activity aimed at reducing the amount of waste to be disposed of at landfill sites;

9) natural resources tax for the disposal of waste in the amount specified in laws and regulations.

(11) Within the meaning of this Section a reloading station of a landfill site is a reloading station related to the infrastructure of the landfill site where the owner or manager of a landfill site accepts waste collected within the relevant waste management region in order to convey them to the landfill site for disposal or prepare for disposal.

(12) The Cabinet shall provide for the procedures for determining the costs for closing and re-cultivating a landfill site, the costs for monitoring and maintaining a closed landfill site, and also the procedures by which the local government in the administrative territory of which a municipal waste landfill site is located, or the Ministry of Environmental Protection and Regional Development shall supervise and control the payment of funds to be transferred into the account in the Treasury for the closing of a landfill site and disbursement of funds after closure of a landfill site.

(13) The costs of the research and development activity may not exceed three per cent of the costs that form the tariff for the disposal of municipal waste in landfill sites and should be included in the tariff after completion of the research and development activity provided that the abovementioned activities ensure a reduction in the amount of waste to be disposed of in the landfill sites. The Cabinet shall determine:

1) the requirements to be brought forward regarding conformity and assessment of the research and development activity and the requirements for project documentation, and also the procedures for recording the research and development expenditures;

2) the procedures by which public availability of the results of the research and development activity shall be ensured.

(14)The Public Utilities Commission shall determine the procedures for submitting and reviewing the calculated draft tariff of municipal waste disposal in relation to the payment of the natural resources tax.

(15) A manager of the landfill site shall determine the mass of the municipal waste which has been accepted and disposed of in a landfill site in tonnes, and inform the local government thereon in accordance with the procedures and within the time period stipulated by the Cabinet.

(2) A manager of the landfill site shall pay that part of revenues from the tariff for waste disposal in a landfill site which is intended for covering of costs for landfill site closure, re-cultivation, and monitoring of a closed landfill site in the account in the Treasury for closing of a landfill site for the preceding quarter until the fifteenth date of the first month of the following quarter.

(3) After the State Environmental Service has taken a decision to close the landfill site, the resources referred to in Paragraph two of this Section shall be received by the owner or manager of the landfill site or the State or local government institution in accordance with the procedures stipulated by the Cabinet for the covering of costs for landfill site closure, re-cultivation, and monitoring of a closed landfill site.

[*27 March 2014; 30 April 2015; 17 November 2016; 7 December 2017 /* *See Paragraphs 31, 32, and 32.1 of Transitional Provisions*]

**Chapter VIII**

**Transboundary Movements of Waste**

**Section 42.** (1) Exportation of hazardous waste for recovery or disposal to states which have acceded to the Basel Convention of 22 March 1989 on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is permitted in accordance with the procedures laid down in the abovementioned Convention.

(2) It is prohibited to bring in the territory of Latvia any waste for disposal, also incineration, if the abovementioned activity is to be classified as disposal of waste, or for long-term storage.

(3) It is allowed to bring in waste for recovery or incineration, if incineration is to be classified as waste recovery, only in such case, if waste recovery facilities having appropriate capacity are operating in the territory of the State and their owner has received a permit for recovery of the relevant waste, and recycling or recovery of waste generated in the territory of Latvia which is specified in the State waste management plan or regional plans, is not endangered as a result of bringing in of waste.

(4) The State Environmental Service shall take a decision to prohibit bringing in of waste, if it is determined that the provisions of Paragraph three of this Section are not observed. The State Environmental Service shall, prior to bringing in of the relevant waste, assess the capacity of waste incineration facilities and the amount and type of waste planned to be incinerated, taking into account the information on the amount of such municipal waste generated in the territory of the State which is suitable for incineration in the relevant incineration facilities in conformity with a permit for Category A or B polluting activity issued for the operation of such facilities. The Cabinet shall determine the procedures by which the State Environmental Service shall take a decision on a permit to bring in waste for recovery and a decision to prohibit bringing in of waste.

(5) A waste manager who brings in the territory of Latvia or brings out of the territory of Latvia the waste referred to in Article 3 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (hereinafter – Regulation No 1013/2006) or in Basel Convention for the purposes provided for in Paragraph three of this Section, a waste producer which brings out waste from the territory of Latvia on its own for disposal, recycling, or recovery of waste shall submit a report on waste for the previous calendar year by 1 March of the current year according to the provisions regarding forms of reports on environmental protection State statistics.

(6) The owner of the incineration facilities referred to in Paragraph three of this Section shall, by 20 December of the relevant year, submit information to the State Environmental Service on the amount and type of waste planned to be incinerated in the next year.

(7) A waste manager which according to an issued permit for Category A or B polluting activity prepares waste for incineration in waste incineration facilities shall, by 20 December of the relevant year, submit the information to the State Environmental Service on the amount and type of waste planned to be incinerated in the next year.

(8) The State Environmental Service shall fulfil the obligations of the competent authority and correspondent referred to in Regulation No 1013/2006 and issue an approval or consent for the transboundary movement of waste.

(81) The State Environmental Service shall control shipments of waste electrical and electronic equipment in accordance with Regulation (EC) No 1013/2006 and Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply, and also shipments of used electrical and electronic equipment regarding which there are substantial suspicions that waste electrical and electronic equipment is sent. The State Environmental Service is entitled to request a manufacturer of electrical and electronic equipment and receive free of charge from him or her, a third person representing such manufacturer or other person who is organising the relevant shipment of used electrical and electronic equipment, information on the performed analyses of functionality and chemical content of used electrical and electronic equipment.

(82) The Cabinet shall determine the requirements for the inspection of such shipments of electrical and electronic equipment regarding which there are suspicions that waste electrical and electronic equipment is sent. The State Environmental Service has the right to take a decision that a shipment of electrical and electronic equipment is waste of electrical and electronic equipment, if there are justified suspicions that waste of electrical and electronic equipment is being shipped.

(83) The decisions taken by the State Environmental Service in relation to shipments of electrical and electronic equipment may be contested to the Environment State Bureau and appealed in accordance with the procedures laid down in the Administrative Procedure Law. The appeal of the decision shall not suspend the operation thereof.

(9) A State duty shall be paid for the issue of approval or consent for transboundary movement of waste. The amount for the State duty and procedures for payment shall be determined by the Cabinet.

(10) Waste the preparation for re-use, re-use, recovery, or disposal of which in Latvia is not possible due to economical or technical reasons may be brought out to other states for performance of the relevant activities in accordance with the Basel Convention of 22 March 1989 on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and Regulation No 1013/2006.

(11) The Cabinet shall determine the procedures by which persons who bring in the territory of Latvia waste for recycling or recovery referred to in Article 3(2) of Regulation No 1013/2006 shall keep records of the brought-in waste.

(12) The Cabinet shall determine the procedures by which keeping of transport records of waste brought in for recycling or recovery referred to in Article 3(2) of Regulation No 1013/2006 shall be performed in the State information system for record-keeping of waste transport, and also the fee for the keeping of transport records of municipal waste and the procedures for payment thereof.

(13) If keeping of records in the State information system for record-keeping of waste transport is ensured by a merchant on the basis of a delegation contract, such merchant shall be subordinate the Ministry of Environmental Protection and Regional Development.

(14) Prior to bringing in the waste referred to in Article 3(2) of Regulation No 1013/2006 for recycling or recovery in Latvia, a person shall submit to the State Environmental Service the financial security specified in Section 12, Paragraph 1.2 of this Law regarding recycling or recovery of waste for a period of one calendar year or for each shipment separately.

[*29 March 2012; 27 March 2014; 30 April 2015; 7 December 2017*]

**Chapter IX**

**Administrative Offences in the Field of Waste Management and Competence in Administrative Offence Proceedings**

[*5 December 2019 /* *Chapter shall come into force on 1 July 2020.* *See Paragraph 46 of Transitional Provisions*]

**Section 43.** (1) For the non-participation of a municipal waste producer or holder in municipal waste management organised by a local government, a warning shall be issued to or a fine in the amount of ten to hundred and fifty units of fine shall be imposed on a natural person, but on a legal person – a fine in the amount of fifty to three hundred units of fine.

(2) For the violation of the waste management provisions, a warning shall be issued to or a fine in the amount of fourteen to two hundred units of fine shall be imposed on a waste producer or holder – natural person, but on a legal person – a fine in the amount of fifty to five hundred and sixty units of fine.

(3) For the violation of the provisions for the record-keeping of waste, a fine in the amount of fifty to two hundred and fifty units of fine shall be imposed on a legal person.

(4) For the failure to use the special label specified in laws and regulations, stating the requirement to collect electrical and electronic equipment waste separately from other waste, on electrical and electronic equipment or for the failure to use the special label, stating the requirement to collect battery and accumulator waste separately from other waste, on batteries and accumulators, a fine in the amount of fifty to three hundred and fifty units of fine shall be imposed on a legal person.

(5) For the failure of a producer of electrical and electronic equipment, batteries, or accumulators to comply with the requirement of registration laid down in laws and regulations, a fine in the amount of fifty to three hundred and fifty units of fine shall be imposed on a legal person.

(6) For the waste collection, transport, reloading, sorting, or storage, or for digging up of a closed or re-cultivated waste dump and resorting of waste without a permit, a fine in the amount of fourteen to two hundred units of fine shall be imposed on a natural person, but on a legal person – a fine in the amount of fifty to five hundred and sixty units of fine.

(7) For the violation of the requirements for transboundary movements of waste laid down in laws and regulations, a fine in the amount of fifty to two hundred and twenty units of fine shall be imposed on a natural person, but on a legal person – a fine in the amount of sixty to eight hundred units of fine.

[*5 December 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 46 of Transitional Provisions*]

**Section 44.** (1) The administrative offence proceedings for the offence referred to in Section 43, Paragraph one of this Law until hearing of the administrative offence case shall be conducted by the administrative inspectorate of a local government, the executive director of a local government, the head of a parish or city administration, the environmental inspectorate of a local government, the environmental control official of a local government, or the municipal police. The administrative offence case shall be heard by the administrative commission or sub-commission of the local government.

(2) The administrative offence proceedings for the offence referred to in Section 43, Paragraphs two (except for the offence in respect of waste generated in a medical treatment institution), three, four, five, six, and seven of this Law shall be conducted by the State Environmental Service. The administrative offence proceedings for the offence referred to in Section 43, Paragraph two (except for the offence in respect of waste generated in a medical treatment institution) of this Law until hearing of the administrative offence case may be conducted by the administrative inspectorate of a local government, the executive director of a local government, the head of a parish or city administration, the environmental inspectorate of a local government, the environmental control official of a local government, or the municipal police. The administrative offence proceedings for the offence referred to in Section 43, Paragraph two of this Law, provided that it has been committed in a forest, shall also be conducted by the State Forest Service until examination of an administrative offence case.

(3) The administrative offence proceedings for the offence referred to in Section 43, Paragraph two of this Law in relation to waste generated in a medical treatment institution shall be conducted by the Health Inspectorate.

[*5 December 2019; 9 July 2020*]

**Transitional Provisions**

1. With the coming into force of this Law, the Waste Management Law (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2001, No. 3; 2004, No. 7, No. 10; 2005, No. 2, No. 15; 2006, No. 24; 2008, No. 9; 2009, No. 21) is repealed.

2. Section 6, Clause 3, Section 12, Paragraph three, and Section 42, Paragraph five of this Law shall come into force on 1 January 2011.

3. The Cabinet shall, not later than by 31 December 2010, issue the regulations referred to in Section 6, Clause 1, Section 9, Paragraph four, Section 11, Paragraph two, Section 12, Paragraph two, Section 17, Paragraphs five, six, and eight, Section 20, Paragraphs four, five, and seven, Section 22, Paragraph two, Clause 1, Section 24, Paragraphs two and four, and Section 31, Paragraph four of this Law.

[*30 April 2015*]

4. The Cabinet shall, not later than by 30 November 2011, issue the regulations referred to in Section 6, Clauses 2, 4, 5, Section 20, Paragraph eight, Section 22, Paragraph two, Clauses 2 and 3, Section 24, Paragraph one, Section 29, Section 31, Paragraph three, Section 36, Section 38, Paragraph two of this Law.

[*29 March 2012*]

5. Until the day of the coming into force of the relevant Cabinet Regulations, but not later than until 30 November 2011, the following Cabinet Regulations shall be applicable:

1) Cabinet Regulation No. 323 of 17 July 2001, Requirements for Incineration of Waste and Operation of Waste Incineration Plants;

2) Cabinet Regulation No. 371 of 8 July 2003, Procedures for the Determination of Payment for Disposal of Hazardous Waste;

3) Cabinet Regulation No. 365 of 20 April 2004, Regulations Regarding Waste Recycling, Recovery and Disposal Types;

4) Cabinet Regulation No. 624 of 27 July 2004, Regulations Regarding Categories of Electrical and Electronic Equipment;

5) Cabinet Regulation No. 736 of 24 August 2004, Requirements for Marking of Electronic and Electrical Equipment and Provision of Information Thereon;

6) Cabinet Regulation No. 923 of 9 November 2004, Regulations Regarding the Management of Electrical and Electronic Equipment Waste;

7) Cabinet Regulation No. 985 of 30 November 2004, Regulations Regarding Waste Classification and Characteristics Making Waste Hazardous;

8) Cabinet Recommendations No. 1 of 26 July 2005, Recommendations for Local Governments Regarding the Binding Regulations Regulating Municipal Waste Management;

9) Cabinet Regulation No. 874 of 22 November 2005, Procedures for the Purchase and Sale of Ferrous and Non-ferrous Metal Cuttings and Scrap;

10) Cabinet Regulation No. 1002 of 27 December 2005, Procedures for the Registration of Electrical and Electronic Equipment Manufacturers;

11) Cabinet Regulation No. 3 of 3 January 2006, Regulations Regarding the State Fee for the Issue of Licence for the Purchase of Ferrous and Non-ferrous Metal Cuttings and Scrap and the Procedures for Payment of the State Fee;

12) Cabinet Regulation No. 332 of 25 April 2006, Regulations Regarding Environmental Pollution from Production of Asbestos and Asbestos-based Products and Management of Asbestos Waste;

13) Cabinet Regulation No. 474 of 13 June 2006, Regulations Regarding the Construction of Landfill Sites, the Management, Closure and Re-cultivation of Landfill Sites and Waste Dumps;

14) Cabinet Regulation No. 613 of 29 July 2008, Procedures for the Issue, Extension, Review and Cancellation of Waste Management Permits;

15) Cabinet Regulation No. 782 of 22 September 2008, Procedures for the Submission of Reports on Volumes and Types of Recycled Waste;

16) Cabinet Regulation No. 789 of 22 September 2008, Procedures for the Management of Certain Types of Hazardous Waste;

17) Cabinet Regulation No. 977 of 25 November 2008, Regulations Regarding Procedures for the Registration Pertaining to the Producers of Batteries and Accumulators and the Holder of the Register;

18) Cabinet Regulation No. 1051 of 16 December 2008, Procedures for the Recording, Identification, Storage, Packing, Labelling and Transport of Hazardous Waste;

19) Cabinet Regulation No. 156 of 17 February 2009, Regulations Regarding Procedures for the Registration of Foreign Electrical and Electronic Equipment Manufacturers and their Duties;

20) Cabinet Regulation No. 985 of 1 September 2009, Regulations Regarding Waste Collection, Sorting Points and Biodegradable Waste Composting Sites; and

21) Cabinet Regulation No. 121 of 9 February 2010, Regulations Regarding Procedures for the Collection and Management of the Primary Packaging to which the Deposit System is not Applied and which is Collected at the Sales Point or Specially Established Packaging Collection Point, and the Requirements for the Merchants which Perform the Collection of such Packaging.

6. State waste management plan for 2006-2012 and regional waste management plans issued until the day of coming into force of this Law shall be in force until the end of the term thereof.

7. Cabinet Regulation No. 797 of 26 September 2006, Regulations Regarding the Regional Waste Management Plan of Ziemeļvidzeme 2006-2013, shall be in force until 31 December 2013.

8. Local governments shall, by 1 April 2011, assess the conformity of the binding regulations regarding municipal waste management in force with the requirements of this Law and the State waste management plan and regional plans, and also the division of administrative territories local governments into waste management zones and, if necessary, issue new binding regulations until 1 October 2011.

9. The Ministry of Environmental Protection and Regional Development shall, in cooperation with local governments, develop and the Cabinet shall, by 1 July 2013, issue the regulations referred to in Section 10, Paragraph one of this Law.

[*16 December 2010; 29 March 2012*]

10. The Cabinet shall:

1) by 30 December 2012, approve the State waste management plan referred to in Section 9, Paragraph two of this Law, including waste prevention programme;

2) [30 April 2015].

[*30 April 2015*]

11. Permits issued on the basis of the requirements of the Waste Management Law (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2001, No. 3; 2004, No. 7, No. 10; 2005, No. 2, No. 15; 2006, No. 24; 2008, No. 9; 2009, No. 21) shall be valid until the expiry of the term of validity thereof.

12. Until 26 July 2005 the contract entered into by and between a local government and a municipal waste manager for the collection, transport, reloading, and storage of municipal waste shall expire within the term specified in the contract. If after 26 July 2005 the local government and the municipal waste manager have entered into or extended the contract for the collection, transport, reloading, and storage of municipal waste, not applying the laws and regulations regarding public procurement or in non-conformity with the laws and regulations regarding public procurement, the abovementioned contract shall be terminated not later than until 1 July 2013.

[The first sentence has been recognised as invalid from 1 July 2013 by a judgment of the Constitutional Court of 6 December 2012 which entered into effect on 11 December 2012, insofar as it applies to contracts entered into not applying or applying inappropriately the laws and regulations regarding public procurement.]

13. Until entering into a contract for the municipal waste management in the relevant zone with the merchant which has been selected in accordance with the procedures laid down in the laws and regulations governing public procurement or public-private partnership, the payment for municipal waste management shall conform to the last tariff approved by the Regulator for municipal waste management which has been determined prior to coming into force of this Law. The local government is entitled to review the abovementioned tariff for municipal waste management, if the tariff referred to in Section 39, Paragraph one, Clauses 2 and 3 of this Law or tax has changed, and to adjust in such amount in which it is affected by the relevant changes.

14. A contract entered into by and between a local government and a municipal waste manager for the collection, transport, reloading, and storage of municipal waste in which the term of validity of the contract is not determined shall be terminated not later than until 1 July 2013.

15. A local government the contracts entered into of which are to be terminated in accordance with Paragraph 12 or 14 of Transitional Provisions of this Law, shall, by 1 July 2013, select a municipal waste manager in accordance with the procedures laid down in Section 18 of this Law.

16. Until the end of the term specified in the contract, but not later than by 31 December 2015, a contract for the municipal waste management which has been entered by a person who is the commissioning party of public procurements in accordance with the laws and regulations regarding public procurement, and which has been entered into until the day of coming into force of this Law shall be in effect.

17. Until the end of the term specified in the contract, but not later than by 31 December 2015, a contract which a waste producer which in accordance with laws and regulations is exempted from payment of the natural resources tax for the management of certain types of waste or which participates in the management systems of certain types of waste has entered into with a waste manager selected by him or her regarding separate collection, transport, reloading, and storage of municipal waste and which has been entered into until the day of coming into force of this Law shall be in effect.

18. Local governments which until the day of coming into force of this Law have not entered into the contract for the collection, transport, reloading, and storage of municipal waste shall select a municipal waste manager in accordance with the procedures laid down in Section 18 of this Law by 31 December 2011.

19. The conditions of Section 27, Paragraph four of this Law shall not be applied in respect of large size household electrical and electronic equipment until 13 February 2013, but in respect of other household electrical and electronic equipment – until 13 February 2011. The costs indicated to purchasers regarding the collection, processing, and disposal of such equipment in safe manner may not exceed the actual costs for waste electrical and electronic equipment management.

20. The Cabinet shall issue the regulations referred to in Section 6, Clause 6, Section 12.1 of this Law not later than by 1 July 2013.

[*29 March 2012; 27 March 2014*]

21. If a local government has not entered into a contract for the collection, transport, reloading, and storage of municipal waste, persons that are commissioning parties within the meaning of the laws and regulations regarding public procurement shall carry out public procurement regarding collection and transport of municipal waste, taking into account the requirements of the binding regulations of the local government. In such case a contract entered into by a commissioning party shall be valid until the end of the term of validity of the contract determined therein, however, not longer than one month after entering into effect of the contract that the local government has entered into with a merchant selected in accordance with the procedures laid down in Section 18, Paragraph one of this Law.

[*29 March 2012*]

22. The Cabinet shall:

1) by 1 July 2014 issue the regulations referred to in Section 6, Clause 1.1, Section 24, Paragraph two, and Section 42, Paragraph 8.2 of this Law;

2) by 30 December 2014 issue the regulations referred to in Section 12.1 of this Law;

3) by 30 December 2015 issue the regulations referred to in Section 12, Paragraph two, Clause 6 and Section 41, Paragraphs 1.2 and three of this Law;

4) by 1 March 2016 issue the regulations referred to in Section 18, Paragraphs two and eleven and Section 42, Paragraph four of this Law.

[*27 March 2014; 30 April 2015*]

23. Until the coming into force of the Cabinet Regulation referred to in Section 24, Paragraph two of this Law, but not later than until 1 July 2014 Cabinet Regulation No. 323 of 26 April 2011, Regulations Regarding Procedures for the Registration of the Producers of Electrical and Electronic Equipment and Producers of Batteries and Accumulators and the Fee for Data Maintenance, shall be applied insofar as it is not in contradiction with this Law.

[*27 March 2014*]

24. Until the coming into force of the Cabinet Regulation referred to in Section 12.1 of this Law, but not later than until 30 December 2014 Cabinet Regulation No. 1172 of 22 October 2013, Procedures for the Registration of Waste Dealers and Waste Management Brokers, shall be applied insofar as it is not in contradiction with this Law.

[*27 March 2014*]

25. Until the end of the term specified in the contract, but not longer than until 1 June 2017 the contract for the collection, transport, reloading, and storage of waste generated at its site of performing commercial activity which has been entered into by the waste producer and regarding which the local government has been informed thereby, on the basis of Section 18, Paragraph ten of the Waste Management Law which was in force until 31 May 2015 shall be in effect.

[*30 April 2015*]

26. The rewording of Section 12, Paragraph three of this Law shall come into force concurrently with the relevant amendments to the law On Taxes and Duties.

[*30 April 2015*]

27. Amendments to Section 23, Paragraph one of this Law in relation to accounting and provision of information to State authorities and local governments and amendments to Section 41, Paragraph one of this Law in relation to inclusion of the costs related to the maintenance of a closed waste landfill site and the costs related to reduction of the amount of biologically degradable waste to be disposed of, in the tariff for waste disposal in landfill sites shall come into force on 1 January 2016.

[*30 April 2015*]

28. The Cabinet shall:

1) by 31 March 2017, issue the regulations referred to in Section 20, Paragraph eleven and Section 41, Paragraphs 1.3 and 1.5 of this Law;

2) by 31 August 2017, issue the regulations referred to in Section 22, Paragraph one, Clauses 4 and 5 and Section 39, Paragraph six of this Law.

[*17 November 2016*]

29. The Public Utilities Commission shall, by 28 February 2017, determine the procedures referred to in Section 41, Paragraph 1.4 of this Law.

[*17 November 2016*]

30. By the date when the regulations referred to in Section 39, Paragraph six of this Law come into force, a waste manager shall provide the local government with information on the amount of the municipal waste that has been collected and transferred to the landfill site.

[*17 November 2016*]

31. A manager of a municipal waste landfill site shall prepare a draft tariff and, not later than by 31 December 2017, submit it for review to the Public Utilities Commission in accordance with Section 41, Paragraph 1.4 of this Law providing that the manager of the landfill site reduces the costs included in the tariff for waste disposal by the revenue share which it obtains as the difference between the payment of the natural resources tax paid by the waste manager for the amount of municipal waste in accordance with Section 39, Paragraph 2.1 of this Law providing that the manager of the municipal waste landfill site, upon accepting municipal waste for disposal, collects the natural resources tax for the disposal of municipal waste in the amount specified in laws and regulations for the entire amount of the unsorted municipal waste which is transferred for disposal, and the natural resources tax paid into the State budget for the disposal of municipal waste.

[*7 December 2017*]

32. If a manager of a municipal waste landfill site has submitted a draft tariff for review to the Public Utilities Commission in accordance with Paragraph 31 of these Transitional Provisions, but it has not been approved by 31 December 2017, the manager of the municipal waste landfill site shall, by 30 March 2018, submit updated draft tariff calculations in conformity with the amendments to Section 41 of this Law which shall come into force on 1 January 2018 (regarding the supplementation of Paragraph one with Clause 9 and the deletion of the first sentence in Paragraph 1.4).

[*7 December 2017*]

32.1 Until the moment when the Public Utilities Commission approves the tariff for the disposal of municipal waste in accordance with the methodology for the calculation of the tariff for the service of the disposal of municipal waste after coming into force of Section 41, Paragraph one, Clause 9 of this Law, a manager of a landfill site the costs included in the effective tariff for the disposal of municipal waste of which have not been reduced by the revenue share which it obtains as the difference between the payment of the natural resources tax paid by the waste manager and the natural resources tax paid into the State budget for the disposal of municipal waste shall apply a coefficient to the natural resources tax for the disposal of municipal waste which corresponds the ratio between the amount of waste disposed of at the landfill site and the amount of waste accepted at the landfill site, and concurrently notify the local government thereof in accordance with Section 41, Paragraph 1.5 of this Law.

[*7 December 2017*]

32.2 After approval of the tariff referred to in Paragraph 32.1, a manager of a municipal waste landfill site shall submit information to the local government on the tariff approved. The local government shall, within a month after receipt of information, take the decision on the fee for unsorted municipal waste management (except for municipal waste recovery) for the initial indicator in conformity with the amendments to Section 39, Paragraph one of this Law which shall come into force on 1 January 2018. The decision shall specify the fee for the collection, transport, reloading, sorting of the municipal waste and other activities specified in laws and regulations which are performed before waste recovery and which reduce the volume of disposable waste, storage, maintenance of separate waste collection, reloading, and sorting infrastructure objects according to a contract which has been entered into by and between the local government and the waste manager and which has been approved by it upon selecting the waste manager in accordance with Section 18 of this Law.

[*7 December 2017*]

33. Information according to the procedures stipulated by the Cabinet for mass and volume measurements of the municipal waste and the ratio to be applied when converting from the units of volume to units of mass shall be submitted by the waste manager to the local government for the first time by 30 April 2018.

[*17 November 2016*]

34. If waste management contracts which have been entered to in accordance with the procedures laid down in the laws and regulations regarding public procurement or public-private partnership by 31 December 2016 or announced by 31 December 2016 provide for a provision on the review of the management payment of municipal waste, the local government shall perform a re-calculation for 2017:

1) within two months after receipt of the information referred to in Paragraph 30 of these Transitional Provisions from the waste manager;

2) within two months after receipt of the information referred to in Paragraph 32 of these Transitional Provisions from the manager of the landfill site.

[*17 November 2016*]

35. If the waste management contracts which have been entered into in accordance with the procedures laid down in the laws and regulations regarding public procurement or public-private partnership by 31 December 2016 or announced by 31 December 2016, do not provide for an option to review the management payment of municipal waste, the local government shall, by 30 June 2020, ensure the review of the abovementioned contracts, by including the provisions for re-calculation of the management payment of municipal waste in accordance with Section 39, Paragraph five of this Law, and shall perform the first re-calculation.

[*17 November 2016*]

36. Increase in the payment of natural resources tax according to the tax rate that comes into force on 1 January 2017, for the time period from 1 January 2017 until the moment when a decision of the local government on determining the management payment of municipal waste enters into effect, shall be proportionally included in further payments by 31 December 2017.

[*8 December 2016*]

37. The requirements for the financial security in respect of transport, recycling, or recovery in the territory of Latvia shall be applicable from 1 July 2018. The waste manager to which the waste management permit has been issued until 30 December 2017 or which has submitted an application for the receipt of a permit by 30 June 2018 shall submit the financial security referred to in Section 12, Paragraph 1.2 of this Law to the State Environmental Service by 30 December 2018.

[*7 December 2017*]

38. The municipal and production waste holders and managers referred to in Section 23, Paragraph four of this Law, and also the operators of waste recycling or recovery facilities referred to in Section 17.1, Paragraph one of this Law shall commence the notification of receipt of transport and waste from 1 July 2018.

[*7 December 2017*]

39. From 1 July 2018 until the creation of the State information system for record-keeping of waste transport, waste holders and managers, and also the operators of recycling or recovery facilities and the persons referred to in Section 42, Paragraph fourteen shall notify the State Environmental Service of the activities referred to in Section 17.1, Paragraph one and Section 23, Paragraph four of this Law, sending information to the official electronic mail address, but after the launch of the State information system for record-keeping of waste transport – the institution authorised by the Ministry of Environmental Protection and Regional Development or a merchant to which this task has been delegated by the Ministry of Environmental Protection and Regional Development.

[*7 December 2017*]

40. The requirements for the financial security for the transport of waste referred to in Article 3(2) of Regulation No 1013/2006 shall be applicable in relation to waste intended to be brought in the territory of Latvia for recycling or recovery from 1 July 2018.

[*7 December 2017*]

41. The Cabinet shall, by 30 May 2018, issue the regulations referred to in Section 17.1, Paragraph two, Section 23, Paragraph five, and Section 42, Paragraphs eleven and twelve of this Law.

[*7 December 2017*]

42. The Public Utilities Commission shall, within two months after coming into force of Section 41, Paragraph one, Clause 9 of this Law, make amendments to the methodology for the calculation of the tariff for the service of the disposal of municipal waste.

[*7 December 2017*]

43. In cases where due to technical reasons it is impossible to enter the information referred to in Section 17.1, Paragraph one, Section 23, Paragraph four, and also Section 42, Paragraph twelve of this Law in the State information system for record-keeping of waste transport, waste holders or managers, and also the operators of recycling or recovery facilities may submit it to the State Environmental Service by 30 June 2019, sending it to the official electronic mail address.

[*7 December 2017*]

44. The Cabinet shall, by 1 March 2018, issue the regulations referred to in Section 4, Paragraph four, Section 12, Paragraph two, Clauses 7 and 8, and Section 12.1, Paragraph four of this Law.

[*7 December 2017*]

45. Starting from 1 April 2018, waste dealers and waste management brokers shall notify the State Environmental Service of the contracts entered into and transactions performed.

[*7 December 2017*]

46. Amendments to Section 8, Paragraph one, Clause 3 of this Law (in respect of the deletion of the words “as well as determine the institutions and officials authorised by the local government which control the conformity with the binding regulations and are entitled to draw up an administrative offence protocol”) and also Chapter IX of this Law shall come into force concurrently with the Law on Administrative Liability.

[*5 December 2019*]

47. The waste dealer or waste management broker that has been registered with the State Environmental Service until 30 December 2020 shall submit to the State Environmental Service the financial security referred to in Section 12.1, Paragraph five of this Law by 31 March 2021.

[*9 July 2020*]

48. The municipal, production, construction, or hazardous waste holders or waste managers referred to in Section 23, Paragraph four of this Law, and also the operators of waste recycling, recovery, or disposal facilities referred to in Section 17.1, Paragraph one of this Law shall commence the notification of transport and receipt of waste from 30 December 2020.

[*9 July 2020*]

49. Local governments that form part of the waste management regions shall, by 30 December 2022, develop and approve, for a period ending on 30 December 2027, regional waste management plans or a waste management plan for the administrative territory of a local government if the local government does not agree to approval of the regional waste management plan.

[*9 July 2020*]

50. The Cabinet shall:

1) by 1 October 2020, issue the Cabinet regulations referred to in Section 7, Paragraph one, Clause 6, Section 9, Paragraph five, Section 11, Paragraph three, Section 17.1, Paragraph two, Section 20, Paragraphs three, four, and five and Paragraph 8.1, Section 22, Paragraphs 1.1 and 1.2 and Paragraph two, Clause 6 of this Law;

2) by 30 December 2020, issue the Cabinet regulations referred to in Section 12, Paragraph two, Clauses 9 and 10, Section 14, Paragraph 1.1, and Section 23, Paragraph five of this Law.

[*9 July 2020*]

51. Section 22, Paragraph five of this Law shall come into force on 1 January 2030.

[*9 July 2020 /* *The abovementioned amendment shall be included in the wording of the Law of 1 January 2030*]

**Informative Reference to the European Union Directives**

[*27 March 2014; 9 July 2020*]

This Law contains legal norms arising from:

1) Council Directive 75/439/EEC of 16 July 1975 on the disposal of waste oils;

2) Council Directive 75/442/EEC of 15 July 1975 on waste;

3) Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry;

4) Council Directive 82/883/EEC of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry;

5) Council Directive 83/29/EEC of 24 January 1983 amending Directive 78/176/EEC on waste from the titanium dioxide industry;

6) Council Directive 87/101/EEC of 22 December 1986 amending Directive 75/439/EEC on the disposal of waste oils;

7) Council Directive 91/156/EEC of 18 March 1991 amending Directive 75/442/EEC on waste;

8) Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances;

9) Council Directive 91/689/EEC of 12 December 1991 on hazardous waste;

10) Council Directive 91/692/EEC of 23 December 1991 standardizing and rationalizing reports on the implementation of certain Directives relating to the environment;

11) Commission Directive 93/86/EEC of 4 October 1993 adapting to technical progress Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances;

12) Council Directive 94/31/EC of 27 June 1994 amending Directive 91/689/EEC on hazardous waste;

13) Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT);

14) Commission Directive 98/101/EC of 22 December 1998 adapting to technical progress Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances (Text with EEA relevance);

15) Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste;

16) Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste;

17) Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE);

18) Directive 2003/108/EC of the European Parliament and of the Council of 8 December 2003 amending Directive 2002/96/EC on waste electrical and electronic equipment (WEEE);

19) Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste (Text with EEA relevance);

20) Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC;

21) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (Text with EEA relevance);

22) Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006;

23) Directive 2012/19/EU of the European Parliament and of the Council of July 2012 on waste electrical and electronic equipment (WEEE);

24) Directive (EU) 2018/849 of the European Parliament and of the Council of 30 May 2018 amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment;

25) Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste;

26) Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste.

The Law shall come into force on the day following the proclamation thereof.

The Law has been adopted by the *Saeima* on 28 October 2010.

President V. Zatlers

Riga, 17 November 2010