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Waste Act¹

Passed 28.01.2004
RT I 2004, 9, 52
Entry into force 01.05.2004

Amended by the following acts

Passed	Published	Entry into force
14.04.2004	RT I 2004, 30, 208	01.05.2004
22.02.2005	RT I 2005, 15, 87	03.04.2005
16.06.2005	RT I 2005, 37, 288	10.07.2005
31.05.2006	RT I 2006, 28, 209	30.06.2006
07.12.2006	RT I 2006, 58, 439	01.01.2007
24.01.2007	RT I 2007, 12, 66	01.01.2008
08.02.2007	RT I 2007, 19, 94	11.03.2007
08.02.2007	RT I 2007, 19, 94	12.07.2007
08.02.2007	RT I 2007, 19, 94	01.01.2008
08.02.2007	RT I 2007, 19, 94	01.10.2008
13.06.2007	RT I 2007, 44, 315	14.07.2007
22.11.2007	RT I 2007, 66, 408	01.01.2008
18.12.2008	RT I 2009, 3, 15	01.02.2009
07.05.2009	RT I 2009, 25, 150	01.07.2009
15.06.2009	RT I 2009, 39, 262	24.07.2009
30.09.2009	RT I 2009, 49, 331	01.01.2010
26.11.2009	RT I 2009, 62, 405	01.01.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 enters into force on the date which has been determined in the Decision of the Council of the European Union regarding the abrogation of the derogation established in respect of the Republic of Estonia on the basis provided for in Article 140 (2) of the Treaty on the Functioning of the European Union, Council Decision 2010/416/EU of 13 July 2010 (OJ L 196, 28.7.2010, p. 24–26).
05.05.2010	RT I 2010, 24, 115	01.09.2010
20.05.2010	RT I 2010, 31, 158	01.10.2010
10.06.2010	RT I 2010, 41, 241	01.08.2010
16.06.2010	RT I 2010, 44, 260	19.07.2010, in part 01.01.2011 and 01.01.2012, and in part 01.01.2011, enters into force on the date which has been determined in the Decision of the Council of the European Union regarding the abrogation of the derogation established in respect of the Republic of Estonia on the basis provided for in Article 140 (2) of the Treaty on the Functioning of the European Union, Council

		Decision 2010/416/EU of 13 July 2010 (OJ L 196, 28.7.2010, p. 24–26).
09.12.2010	RT I, 17.12.2010, 21	27.12.2010
16.12.2010	RT I, 31.12.2010, 2	01.01.2011
22.02.2011	RT I, 17.03.2011, 1	18.03.2011
27.10.2011	RT I, 09.11.2011, 1	10.11.2011, in part 01.01.2015
08.12.2011	RT I, 29.12.2011, 1	01.01.2012
21.03.2012	RT I, 04.04.2012, 2	14.04.2012
20.12.2012	RT I, 04.01.2013, 12	14.01.2013, in part 22.07.2019; changed in part [RT I, 02.07.2019, 1]
24.04.2013	RT I, 16.05.2013, 1	01.06.2013
05.06.2013	RT I, 14.06.2013, 4	24.06.2013
19.02.2014	RT I, 13.03.2014, 2	23.03.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
19.06.2014	RT I, 08.07.2014, 13	18.07.2014, in part 15.08.2018
20.06.2014	RT I, 08.07.2014, 3	01.08.2014
19.06.2014	RT I, 08.07.2014, 2	07.01.2015, in accordance with clause 53 of Judgment No. 3-4-1-34-14 of Constitutional Review Chamber of Supreme Court of 6 January 2015 (RT I, 06.01.2015, 21): "In the current constitutional review matter on the basis of § 12 of the Constitutional Review Court Procedure Act the Supreme Court suspended the entry into force of the Waste Act Amendment Act (RT I, 08.07.2014, 2) until entry into force of Judgment of the Supreme Court (Ruling of Constitutional Review Chamber of Supreme Court of 25 September 2014 in matter No. 3-4-1-34-14). This Judgment of the Supreme Court enters into force in conformity with subsection 2 of § 58 of the Constitutional Review Court Procedure Act upon pronouncement on 6 January 2015. Thus, the Waste Act Amendment Act (RT I, 08.07.2014, 2) enters into force on 7 January 2015."
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the titles of ministers substituted on the basis of subsection 4 of § 107 ³ of the Government of the Republic Act.
06.01.2015	RT I, 06.01.2015, 21	06.01.2015
28.01.2015	RT I, 20.02.2015, 2	01.07.2015
18.02.2015	RT I, 06.03.2015, 23	16.03.2015
18.02.2015	RT I, 23.03.2015, 4	01.07.2015
19.02.2015	RT I, 23.03.2015, 6	01.07.2015
19.11.2015	RT I, 03.12.2015, 1	01.01.2016, in part 22.07.2019; changed in part [RT I, 02.07.2019, 1]
09.12.2015	RT I, 30.12.2015, 1	18.01.2016
15.06.2016	RT I, 05.07.2016, 1	01.01.2017
12.10.2016	RT I, 25.10.2016, 1	26.10.2016
16.11.2016	RT I, 25.11.2016, 2	05.12.2016, in part 01.10.2017
08.02.2017	RT I, 03.03.2017, 1	01.07.2017
07.06.2017	RT I, 21.06.2017, 1	04.07.2017
14.06.2017	RT I, 01.07.2017, 1	01.09.2017
14.06.2017	RT I, 04.07.2017, 1	01.01.2018
16.10.2018	RT I, 23.10.2018, 1	30.10.2018
21.11.2018	RT I, 12.12.2018, 3	01.01.2019
20.02.2019	RT I, 13.03.2019, 2	15.03.2019

12.06.2019	RT I, 02.07.2019, 1	12.07.2019, in part 22.07.2019
04.12.2019	RT I, 21.12.2019, 1	01.01.2020, in part 01.01.2021
13.05.2020	RT I, 17.05.2020, 1	26.05.2021
17.06.2020	RT I, 10.07.2020, 2	01.01.2021
25.11.2020	RT I, 10.12.2020, 1	01.01.2021
21.04.2021	RT I, 05.05.2021, 1	15.05.2021, in part 01.01.2022
13.10.2021	RT I, 22.10.2021, 3	01.11.2021
11.05.2022	RT I, 27.05.2022, 1	06.06.2022
07.12.2022	RT I, 22.12.2022, 2	01.01.2023
13.02.2023	RT I, 07.03.2023, 1	01.05.2023, in part 01.01.2024
22.02.2023	RT I, 17.03.2023, 3	01.04.2023
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; based on subsection 6 of § 105.19 of the Government of the Republic Act, the words "Ministry of the Environment" have been replaced with words "Ministry of Climate"
16.12.2024	RT I, 31.12.2024, 1	01.01.2025
11.12.2024	RT I, 31.12.2024, 2	10.01.2025
18.06.2025	RT I, 08.07.2025, 55	01.09.2025
18.11.2025	RT I, 03.12.2025, 1	13.12.2025, in part 01.01.2026 and 18.02.2027
09.12.2025	RT I, 07.01.2026, 4	17.01.2026, in part 01.01.2027
25.02.2026	RT I, 18.03.2026, 3	19.03.2026
11.03.2026	RT I, 18.03.2026, 33	28.03.2026, in part 01.01.2031

Chapter 1 General Provisions

Subchapter 1 Scope of Application and Definitions

§ 1. Scope of application of Act

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(1) This Act provides for:

- 1) the organisation of waste management;
- 2) requirements for preventing waste generation and the health and environmental hazards arising from waste, including measures for improving the efficiency of the use of natural resources and reducing the adverse impacts of such use and progressive reduction of landfilling of waste that is suitable for recycling or other recovery;
- 3) the bases and extent of state and administrative supervision;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

4) liability for violation of this Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1¹) The following shall not fall within the scope of application of this Act:

- 1) gaseous effluents released into ambient air and carbon dioxide captured and transported for geological storage and geologically stored carbon dioxide;

[RT I, 05.07.2016, 1 – entry into force 01.01.2017]

- 2) uncontaminated soil and other naturally occurring material excavated in the course of construction activities where it is certain that the material will be used for the purposes of construction in its natural state on the site from which it was excavated;

3) radioactive waste for the purposes of the Radiation Act;

- 4) waste of products containing explosives or pyrotechnic substances;

[RT I, 21.06.2017, 1 – entry into force 04.07.2017]

- 5) faecal matter, if not covered by clause 2 of subsection 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 such biomass through processes or methods which do not harm the environment or endanger human health;

6) sediments 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 it is proved that the sediments do not have the hazardous properties specified in the Annex to Commission Regulation (EU) No 1357/2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 365, 19.12.2014, p. 89–96).
[RT I, 03.12.2015, 1 – entry into force 01.01.2016]

(2) The following shall not fall within the scope of application of this Act to the extent that they are regulated by other Acts or European Union Regulations:

- 1) waste water and waste subject to treatment or emitted into the environment together with waste water, except waste generated in waste water treatment;
- 2) handling of animal by-products including processed products covered by 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 repealing Regulation (EC) No 1774/2002 (OJ L 300, 14.11.2009, p. 1–33), except those which are destined for incineration, landfilling or use in biogas or composting plant.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

- 3) substances that are designed for use as feed materials as defined in point (g) of Article 3(2) of Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directives 79/373/EEC, 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC, Commission Directive 80/511/EEC and Commission Decision 2004/217/EC (OJ L 229, 1.9.2009, p. 1–28) and that do not consist of or contain animal by-products.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) This Act regulates handling of packaging waste insofar as this is not regulated by the Packaging Act.

(3¹) Subsections 3 and 5 of § 19, §§ 31, 34–35¹, 37 and 38, subsections 1–3 of § 39, §§ 40, 42 and 43–59 and Chapters 3, 4, 8 and 9 of this Act do not apply to the handling of extractive waste, unless the extractive waste is deposited in a landfill.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3²) The requirements for closure of extractive waste facilities, subsections 2–6 of § 33¹, § 35³, clause 8 of subsection 2 of § 73 and § 94¹ do not apply to inert waste arising from the prospecting, extraction, treatment and storage of mineral resources and from the working of quarries, non-hazardous waste and unpolluted soil resulting from the prospecting of mineral resources, except for mineral resources generated by the evaporation of oil and water, with the exclusion of gypsum and anhydride, and waste resulting from the extraction, treatment and storage of peat, unless the waste is stored at a Category A extractive waste facility.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3³) For the purposes of this Act, unpolluted soil means soil that is removed from the upper layer of the ground during extractive activities and that is not deemed to be polluted under the legislation of Estonia or the European Union.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(3⁴) Subsections 2 and 5 of § 33¹ and § 353 of this Act do not apply to non-hazardous waste, unless the waste is stored at a Category A extractive waste facility.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3⁵) Subsection 7 of § 28 of this Act does not apply to the storage of extractive waste at extractive waste facilities.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4) The provisions of the Administrative Procedure Act apply to the administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(4¹) Chapter 5 of the General Part of the Environmental Code Act applies to the environmental permit (hereinafter *waste permit*) proceedings for waste management, waste generation and operation of landfills and extractive waste facilities, taking account of the specifications provided for in this Act.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(5) The provisions of the Public Procurement Act apply to the ordering of organised waste transport and to the ordering of the recovery and disposal of waste covered by organised waste transport and the recovery and disposal of waste collected on the order of the local authority, taking account of the specifications provided in this Act.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(5¹) The provisions of § 12 of the Public Procurement Act do not apply to the ordering of organised waste transport.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(6) The provisions of the Product Conformity Act apply to the provisions of this Act, taking account of the specifications arising from this Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(7) Sections 75¹–75³ of the Government of the Republic Act apply to the administrative supervision over the activities of local authorities prescribed in this Act, taking account of the specifications provided in this Act.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 2. Waste

(1) Waste means any movable property or registered ship which the holder discards, intends or is required to discard.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(2) Discarding means removal from use of movable property, refusal to commence use of movable property or holding of movable property without using it if the use thereof is impossible for technical reasons or unreasonable due to economic or environmental circumstances.

(3) [Repealed – RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(4) [Repealed – RT I, 03.12.2015, 1 – entry into force 01.01.2016]

(5) The procedure for the sampling and classification of waste and the list of waste are established by a regulation of the minister in charge of the policy sector.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 2¹. End-of-waste status

(1) Waste shall cease to be waste when it has undergone recycling or other recovery operation and complies with the following conditions at the same time:

- 1) the substance or object is commenced to be commonly used for a certain specific purpose;
- 2) a market or demand exists for such a substance or object;
- 3) the substance or object fulfils the technical requirements for the specific purpose and meets the legislation and product standards;
- 4) the use of the substance or object will not lead to adverse environmental or human health impacts;
- 5) the substance or object complies with the criteria that are established by an implementing act of the European Commission on the basis of Article 6(2) of Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3–30) or on the basis of subsection 2 of this section and are designed for uniform application of clauses 1–4 of this subsection concerning the end-of-waste status of a certain type of waste or, in the absence of these, the derogation specified in subsection 3¹ of this section is applied.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) In the absence of the implementing act of the European Commission specified in clause 5 of subsection 1 of this section, the minister in charge of the policy sector may establish by a regulation, for the purpose of uniform application of the conditions provided in clauses 1–4 of subsection 1 of this section, the criteria for the end-of-waste status of a certain type of waste.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) When establishing the criteria specified in subsection 2 of this section, account shall be taken of any possible adverse environmental and human health impacts of the substance or object, and the criteria shall include:

- 1) permissible waste input material for the recovery operation;
- 2) allowed treatment processes and techniques;
- 3) quality criteria for end-of-waste materials resulting from the recovery operation in line with the applicable product standards, including limit values for pollutants where necessary;
- 4) requirements for management systems to demonstrate compliance with the end-of-waste criteria for a certain type waste, including for quality control and self-checking, and accreditation, where appropriate;
- 5) a requirement for a statement of conformity.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3¹) In the absence of the implementing act of the European Commission specified in clause 5 of subsection 1 of this section or where no criteria have been established on the basis of subsection 2 of this section, the Environmental Board may, in the course of the proceeding for granting an environmental protection permit, decide on the basis of an individual case whether the waste specified in the application for a waste permit or

integrated environmental permit (hereinafter *integrated permit*) has ceased to be waste in accordance with the conditions provided for in clauses 1–4 of subsection 1 of this section, taking into account, where appropriate, the requirements provided for in subsection 3 of this section.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(3²) For the purposes of this Act, an environmental protection permit is a waste permit, an integrated permit and the registration of a waste handler.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(4) A recovery operation after which waste ceases to be waste shall be determined in the environmental protection permit of the undertaking which carried out the recovery operation.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(5) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(6) Substances or objects that have ceased to be waste must, prior to their first use or placement on the market in accordance with subsection 1⁸ of § 23 of this Act, comply with the requirements provided in the appropriate legislation on chemicals and products.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(7) The conditions provided in subsection 1 of this section must be met before the legislation on chemicals and products applies to the substances or objects that have ceased to be waste.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 2². By-product

(1) A substance or object, resulting from a production process, the primary aim of which is not the production of that item, is not regarded as waste, but is regarded as a by-product if the following conditions are met at the same time:

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

1) further use of the substance or object is certain;
2) the substance or object can be used directly without any further processing other than normal industrial practice;

3) the substance or object is produced as an integral part of a production process;

4) the substance or object fulfils relevant product, environmental and health protection requirements for the specific use and will not lead to adverse environmental or human health impacts.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(2) If no detailed criteria that ensure uniform application of the conditions specified in subsection 1 of this section have been established in connection with the regarding of certain substances or objects resulting from a production process as by-products on the basis of Article 5 (2) of Directive 2008/98/EC of the European Parliament and of the Council, the minister in charge of the policy sector may establish by a regulation the criteria for detailing the conditions specified in subsection 1 of this section about regarding certain substances or objects as by-products.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 3. Non-hazardous waste

Non-hazardous waste means any waste which is not hazardous waste.

§ 4. Inert waste

Inert waste means non-hazardous waste that does not undergo any significant physical, chemical or biological transformations. Inert waste does not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The leachability of inert waste in aquatic environment, its content of hazardous substances and the ecotoxicity of the leachate does not cause additional environmental pressure, in particular as regards requirements for the quality of groundwater or surface water.

§ 5. Biodegradable waste

Biodegradable waste means any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food waste, paper and paperboard.

§ 5¹. Bio-waste

Bio-waste means the following biodegradable waste:

1) garden and park waste;

2) food and kitchen waste from households, offices, retail premises, wholesale enterprises and caterers;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

3) waste from food processing plants the composition and nature of which is similar to the waste specified in clause 2 of this section.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 5². Food waste

Food waste means food defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and safety requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1–24) that has become waste.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 6. Hazardous waste

(1) Hazardous waste means waste which due to at least one of the hazardous properties specified in the Annex to Commission Regulation (EU) No 1357/2014 may cause a hazard to human health, property or the environment.

[RT I, 03.12.2015, 1 – entry into force 01.01.2016]

(2) [Repealed – RT I, 03.12.2015, 1 – entry into force 01.01.2016]

(3) The requirements of subsection 1 of § 5 of the Metrology Act shall be observed in order to achieve traceability and reliability of measurement results upon the direct determination of the composition of waste, including the content of hazardous substances.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 7. Municipal waste

(1) Municipal waste means:

1) mixed waste and separately collected waste from households, including paper and paperboard, glass, metals, plastics, bio-waste, wood, textiles, packaging, waste electrical and electronic equipment, batteries and accumulators, and bulky waste, including mattresses and furniture;

2) mixed waste and separately collected waste from other sources which because of its composition or properties is similar to waste from households.

(2) Municipal waste does not include waste from production, agriculture, forestry, fishing, septic tanks and sewage network and treatment, end-of-life vehicles or construction and demolition waste.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 7¹. Extractive waste

(1) For the purposes of this Act, extractive waste means waste arising from the prospecting, extraction, treatment and storage of mineral resources and from the extraction works.

(2) For the purposes of this Act, mineral resource means a naturally occurring deposit in the earth's crust of an organic or inorganic substance, such as energy fuels, metal ores, industrial minerals and construction minerals, but excluding water.

(3) For the purposes of this Act, prospecting means the search for mineral deposits of economic value, including sampling, bulk sampling, drilling and trenching, excluding any works required for the development of such deposits, and any activities directly associated with an existing extractive operation.

(4) The provisions regulating the operations carried out with extractive waste provided for in this Act shall not apply to:

1) the management of waste resulting from the prospecting, extraction and treatment of mineral resources and the working of quarries if such waste does not directly result from those operations. Such waste shall not be regarded as extractive waste and the general waste management requirements shall apply to them;

2) the management of waste resulting from the offshore prospecting, extraction and treatment of mineral resources.

(5) For the purposes of this Act, offshore means the area of the sea and seabed extending from the low water mark of ordinary or medium tides outwards.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 7². Construction and demolition waste

Construction and demolition waste means waste generated by construction and demolition activities.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 7³. Plastic waste

(1) Plastic waste means waste consisting of plastic, oxo-degradable plastic or biodegradable plastic.

(2) Plastic means material consisting of a polymer as defined in point 5 of Article 3 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1–850) (hereinafter referred to as the *REACH Regulation*), to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified.

(3) Oxo-degradable plastic means plastic materials that include additives which, through oxidation, lead to the fragmentation of the plastic material into micro-fragments or to chemical decomposition.

(4) Biodegradable plastic means plastic material capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide, biomass and water, and is, in accordance with European standards for packaging, recoverable through composting and anaerobic digestion.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 8. Hazardous properties of waste

[Repealed – RT I, 03.12.2015, 1 – entry into force 01.01.2016]

§ 9. Waste holder

Waste holder means the producer of the waste, any other person, or a state or local government agency who is in possession of the waste.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 10. Waste producer

Waste producer means a person or a state or local government agency whose activities produce waste or a person who carries out operations with waste, for example pre-processing or mixing of waste, resulting in a change in the nature or composition of the waste.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 10¹. Dealer

For the provisions of this Act, dealer means an undertaking which acts in its own name to purchase and sell waste, regardless of whether the waste is in the possession of the dealer or not.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 10². Broker

For the provisions of this Act, broker means an undertaking arranging the recovery or disposal of waste on behalf of others, regardless of whether the waste is in the possession of the broker or not.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 11. Waste management

(1) Waste management means waste handling, including establishment and care of waste facilities infrastructure required for this, supervision over waste handling and establishment and care of waste management facilities, including aftercare.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) The costs of waste management are borne by the waste holder or, in the cases prescribed by law, by the producer or the person who has been in possession of the waste to be handled.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 12. Development of waste management

(1) Development of waste management means dissemination of information relating to waste, consultation on issues concerning waste, waste management planning, or any other activities the aim of which is to prevent or reduce waste generation or improve the quality of waste management.

(2) Local government bodies shall organise development of waste management within their administrative territories.

(3) The state supports the development of waste management through national support programmes.

(4) The grant of the support specified in subsection 3 of this section may be based on the compliance with the obligation to attain the separate collection target for municipal waste provided in subsection 5 of § 136³ of this Act.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 13. Waste handling

Waste handling means the collection, transport, recovery, including sorting, and disposal of waste, including the activities of a broker or dealer.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 14. Collection, separate collection and transport of waste

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Waste collection means the gathering of waste, including the preliminary sorting and preliminary storage and mechanical processing of waste without changing the composition and nature of the waste for the purposes of transport to a waste treatment facility for further management.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(1¹) Separate collection of waste means the activity where waste is kept separately by type and nature so as to facilitate further handling, including encouraging recovery.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(1²) Waste shall be collected separately to facilitate or improve preparing for re-use, recycling and other recovery operations and separately collected waste shall not be mixed with other waste or other material with different properties.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) Waste transport means transport of waste shipment from the place of origin to the place of destination. Waste transport includes the loading and unloading of a waste shipment and the assembly of a waste cargo from several shipments but does not include the activities specified in subsection 1 of this section.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(3) A transporter of waste is not deemed to be the waste holder if its only task is to convey the transferred waste shipment to the point of destination determined by the transferor or forwarding it in its original condition to the person authorised to receive the shipment, unless otherwise agreed by the contract concluded between the transferor of waste and the transporter of waste.

§ 14¹. Re-use

Re-use means any operation by which products or components of products that are not waste are used again for their original purpose.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 15. Waste recovery

(1) Waste recovery means any waste management operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(1¹) Material recovery means a recovery operation which includes, *inter alia*, preparation for re-use, recycling and backfilling. Energy recovery and the reprocessing of waste into materials that are to be used as fuels or other means to generate energy are not deemed to be material recovery.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) [Repealed – RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(3) Preparing of waste for re-use means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(4) Recycling means a waste recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. This does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(5) Energy recovery means a waste recovery operation where combustible waste is used as a means to produce energy through incineration of this waste, with or without other waste or fuel, with recovery of the generated heat.

(6) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(6¹) Backfilling means a recovery operation where suitable non-hazardous waste is used for the purposes of reclamation in excavated areas or for engineering purposes in landscaping. Non-hazardous waste used for backfilling must substitute non-waste materials, be suitable for the purposes specified in this subsection, and be limited to the amount strictly necessary to achieve those purposes.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(7) Methods of waste recovery may comprise one or several recovery operations.

(8) A list of waste recovery operations shall be established by a regulation of the Government of the Republic.

§ 16. Treatment of waste

(1) Treatment of waste means recovery or disposal operations, including preparation of waste for recovery or disposal.

(2) Preparing of waste for recovery or disposal means the mechanical, thermal, chemical or biological impact on waste, including sorting and packaging of waste and removing of substances or objects from waste, whereby the properties of the waste are changed with the aim to reduce the quantity or harmfulness of the waste, facilitate its handling or disposal or enhance the recovery of the waste, including preparation for re-use and recycling.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2¹) Sorting of waste means an activity where the waste which is suitable for preparation for re-use, recycling or other recovery and hazardous waste are separated from the collected waste.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) Compacting of waste in order to reduce the volume thereof, e.g. upon transportation or landfilling, is not deemed to be treatment of waste.

[RT I, 09.11.2011, 1 - entry into force 10.11.2011]

§ 17. Waste disposal

(1) Waste disposal means landfilling, incineration without energy recovery or other equivalent operation which is not recovery, including preparing of waste for disposal, even where the operation has as a secondary consequence the reclamation of substances or energy.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(2) A list of waste disposal operations shall be established by a regulation of the Government of the Republic.

§ 18. Environmental nuisance

For the purposes of this Act, environmental nuisance means a negative environmental impact not regulated by a numerical standard or a negative environmental impact not exceeding the numerical standard, e.g. the odour, dust or noise emanating from waste; gatherings of birds, rodents or insects; the concentration of aerosols in the air, or dispersion of waste by the wind.

§ 19. Waste management facility

(1) Waste management facility means a structure equipped with appropriate technical installations for the collection, recovery or disposal of waste.

(2) An area where waste recovery enables to improve soil fertility, the state of the environment in the area or the modes of use of the area, or an area where waste recovery or disposal activities are performed and the existence of construction works is not needed for such activities is also deemed to be a waste management facility.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(3) Waste bins or other containers designated for initial collection of only one type of non-hazardous or hazardous waste from the waste producers, or structures or mobile storage spaces housing the abovementioned containers for the purpose of collection of non-hazardous waste, or structures used for initial collection of packaging waste produced in households are not deemed to be waste management facilities.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(4) If an environmental protection permit is necessary for waste management, waste may be managed only at places specified by the environmental protection permit.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(5) The location of a waste management facility, including location of a landfill shall be determined pursuant to the procedure provided by the Planning Act.

§ 20. Aftercare of waste management facility

Aftercare of waste management facility means the environmental monitoring of a waste management facility, which has been closed down and prevention of possible negative environmental impact, including environmental nuisances.

Subchapter 2 Prevention of Waste Generation and Reduction of Quantity and Hazardousness of Waste

§ 21. General requirements for prevention of waste generation

(1) In any activity, all appropriate measures shall be applied to avoid waste generation and care shall be taken to prevent generated waste from causing any excessive hazard to health, property or the environment.

(2) In order to achieve the objectives specified in subsection 1 of this section, measures shall be taken in any activity, to the highest possible extent, to:

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

1) implement the best available techniques for sustainable use of natural resources and raw materials, including technologies whereby waste is recovered to the highest possible extent;

2) implement sustainable production and consumption models, including to design, plan, manufacture and import products which are, above all, reusable, repairable or with the longest possible life span and which after they are removed from use produce waste which is recoverable to the highest possible extent;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

2¹) reduce or refrain from placing single-use plastic products on the market;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

3) reduce the content of hazardous substances in materials and products;

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

4) prevent that products containing critical raw materials become waste;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

5) make available, without prejudice to intellectual property rights, the necessary spare parts, instruction manuals, technical information and other instruments, equipment and software of products in order to promote the repair and re-use of products;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

6) reduce the generation of food waste and encourage food donation and other redistribution for human consumption, prioritising that food remains a food for human beings rather than as feed and that it is not reprocessed into a non-food product;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

7) prevent the generation of marine litter.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 21¹. Submission of information about hazardous substances in products

(1) To encourage the reduction of the content of hazardous substances in materials and articles, the supplier of an article as defined in point 33 of Article 3 of the REACH Regulation, except the supplier of military material and articles, must submit the information required under Article 33(1) of the Regulation to the database of the European Chemicals Agency.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(1¹) For the purposes of this section, military material or article means a weapon, substance, component, instrument, apparatus, machine, system, parts thereof, related equipment and special components, software and technology which is designed, manufactured, designated or adapted for military use or the data of which are subject to a restriction on disclosure.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(2) The functions of the national helpdesk regarding the responsibilities and obligations under subsection 1 of this section are performed by the Health Board on the basis of clause 6 of § 33 of the Chemicals Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 22. Prevention of waste generation

Prevention of waste generation means taking of measures before a substance, material or product becomes waste to reduce the quantity of waste and adverse impacts of the waste on the environment and health.
[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 22¹. Waste hierarchy

(1) The following waste hierarchy shall apply as a priority order in prevention of waste generation and in development and implementation of measures for waste handling:

- 1) prevention of waste generation;
- 2) preparing for re-use;
- 3) recycling;
- 4) other recovery, e.g. energy recovery;
- 5) disposal.

(2) The waste hierarchy may be departed from if this ensures the best overall environmental result taking account of the whole life-cycle of a substance, material or product.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 22². Plastic products

A single-use plastic product means a product that is made wholly or partly from plastic and that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 22³. Restriction on placing of single-use plastic products on market

The placing of the following single-use plastic products on the market is prohibited:

- 1) cotton bud sticks, except if they fall within the scope of Regulation (EU) 2017/745 of the European Parliament and of the Council on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC (OJ L 117, 5.5.2017, p. 1–175);
- 2) cutlery – knives, forks, spoons and chopsticks;
- 3) plates;
- 4) straws, except if they fall within the scope of Regulation (EU) 2017/745 of the European Parliament and of the Council;
- 5) beverage stirrers;
- 6) sticks to be attached to and to support balloons, except balloons for industrial or other professional uses and applications that are not distributed to consumers, including the mechanisms of such sticks.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 22⁴. Restriction on placing of products made of oxo-degradable plastic on market

It is prohibited to place any products made from oxo-degradable plastic on the market.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 22⁵. Marking of certain single-use plastic products

(1) In marking the packaging of single-use wet wipes and sanitary towels as well as tampons and tampon applicators containing plastic, account is taken of the requirements of Commission Implementing Regulation (EU) 2020/2151 laying down rules on harmonised marking specifications on single-use plastic products listed in Part D of the Annex to Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment (OJ L 428, 18.12.2020, p. 57–67).

(2) In this section and in § 22⁶ of this Act, the following terms are used:

- 1) single-use sanitary towel containing plastic is a means of personal hygiene which is used to absorb and retain a larger amount of liquid and is intended for single use;
- 2) a single-use tampon and tampon applicator containing plastic is a means of personal hygiene which is used during menstruation and is intended for single use.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 22⁶. Measures on raising awareness of certain single-use plastic products

(1) The person placing on the market or the distributor of single-use sanitary towels or tampons and tampon applicators containing plastic must, in an advertising pursuant to clauses 3 and 8 of subsection 1 of § 2 of the Advertising Act, provide information about the plastic content of the product and inform the consumer of the negative effects of that product on the environment and the sewerage system.

(2) The person placing on the market or the distributor of single-use sanitary towels or tampons and tampon applicators containing plastic is obliged, in order to increase the environmental awareness of the users, to organise once a year at least one national information campaign of a minimum of two weeks subject to the following conditions:

- 1) the information campaign must inform the users of single-use sanitary towels or tampons and tampon applicators containing plastic about the proper disposal of the waste generated by those products, the impact of littering of single-use plastic products and other inappropriate disposal of their waste on the environment, in particular the marine environment, and about the impact of inappropriate disposal of waste resulting from single-use products on the sewerage system, whereas information must be provided about the plastic content of the products;
- 2) the information campaign must be published through national media, including television, radio, social media, and outdoor advertising. Information disseminated exclusively through the internet, a newspaper or a magazine is not regarded as an information campaign;
- 3) the costs of organising information campaigns, including organisation of notification, are borne by the person placing products on the market or the distributor, whereas persons placing products on the market and distributors may carry out joint information campaigns;
- 4) it must be clearly identifiable from the information campaign which person placing products on the market or distributor is organising the information campaign, whereas, in the case of a joint information campaign, the names of all the participating persons placing products on the market and distributors must be listed.

(3) A person placing products on the market means the producer or importer of products who, within the meaning of subsection 1⁸ of § 23 of this Act, places the product on the market.

(4) For the purposes of this Act, a producer of single-use sanitary towels or tampons and tampon applicators containing plastic means a natural or legal person:

- 1) whose place of business is in Estonia and who, irrespective of the selling technique, including by means of distance communication, places single-use sanitary towels or tampons and tampon applicators containing plastic on the Estonian market in the course of its commercial or professional activity;
- 2) who, by means of a distance contract as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64–88), places single-use sanitary towels or tampons and tampon applicators containing plastic on the Estonian market in the course of its commercial or professional activity;
- 3) who sells single-use sanitary towels or tampons and tampon applicators containing plastic by means of distance communication directly to Estonian households or other users, but who is established in another Member State of the European Union or outside the European Union.

(5) For the purposes of this Act, an importer means the person defined in clause 1 of subsection 1 of § 4 of the Product Conformity Act.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 23. Producers, producers' responsibility organisations, distributors and authorised representatives

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(1) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(1¹) For the purposes of this Act, producer means a person who designs, plans, manufactures, processes, sells or imports products on professional basis.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(1²) For the purposes of this Act, a producer of motor vehicles means:

- 1) a natural or legal person having a place of business in Estonia who, in the course of its commercial or professional activity, manufactures, sells or imports, irrespective of the selling technique used, including by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, vehicles of categories M1, N1 and L2e on the Estonian market;
- 2) a natural or legal person established in a Member State of the European Union or outside the European Union who, in the course of its commercial or professional activity, sells vehicles of categories M1, N1 and L2e directly to households or other users in Estonia by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1³) For the purposes of this Act, a producer of electrical and electronic equipment means a natural or legal person who, irrespective of the selling technique, including by means of distance communication:

1) is established in Estonia and manufactures electrical and electronic equipment under its own name or trademark, or has electrical and electronic equipment designed or manufactured and markets the equipment under its own name or brand in Estonia;

2) is established in Estonia and resells equipment manufactured by other suppliers under its own name or trademark in Estonia, however such reseller shall not be regarded as the producer if the brand of the producer appears on the equipment pursuant to clause 1 of this subsection;

3) is established in Estonia and places electrical and electronic equipment on the market in Estonia originating from another Member State of the European Union or outside the European Union on professional basis;

4) sells electrical and electronic equipment by means of distance communication directly to Estonian households or other users, but who is established in another Member State of the European Union or outside the European Union.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(1⁴) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1⁵) For the purposes of this Act, a producer of tyres means:

1) a natural or legal person having a place of business in Estonia who, in the course of its commercial or professional activity, manufactures, sells or imports, irrespective of the selling technique used, including by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, tyres on the Estonian market, including together with a trailer defined in clause 9, with an off-road vehicle defined in clause 36, with a motor vehicle defined in clause 40, with towed equipment defined in clause 58 and with interchangeable towed equipment defined in clause 91 of § 2 of the Traffic Act;

2) a natural or legal person established in a Member State of the European Union or outside the European Union who, in the course of its commercial or professional activity, sells tyres directly to households or other users in Estonia by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, including together with a trailer defined in clause 9, with an off-road vehicle defined in clause 36, with a motor vehicle defined in clause 40, with towed equipment defined in clause 58 and with interchangeable towed equipment defined in clause 91 of § 2 of the Traffic Act.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1⁶) For the purposes of this Act, a producer of agricultural plastic means:

1) a natural or legal person having a place of business in Estonia who, in the course of its commercial or professional activity, manufactures, sells or imports, irrespective of the selling technique used, including by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, agricultural plastic on the Estonian market;

2) a natural or legal person established in a Member State of the European Union or outside the European Union who, in the course of its commercial or professional activity, sells agricultural plastic directly to households or other users in Estonia by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1⁷) For the purposes of this Act, a producer of motor vehicles parts means:

1) a natural or legal person having a place of business in Estonia who, in the course of its commercial or professional activity, manufactures, sells or imports, irrespective of the selling technique used, including by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, parts of vehicles of categories M1, N1 and L2e on the Estonian market;

2) a natural or legal person established in a Member State of the European Union or outside the European Union who, in the course of its commercial or professional activity, sells parts of vehicles of categories M1, N1 and L2e directly to households or other users in Estonia by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]
[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(1⁸) For the purposes of this Act, placing on the market means making a product available on the Estonian market for the first time on professional basis.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(1⁹) For the purposes of this Act, making available on the market means the supplying of a product, whether in return for payment or free of charge, to the Estonian market for distribution, consumption or use by other persons.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1¹⁰) For the purposes of this Act, a producer of fishing gear containing plastic means a natural or legal person:

1) whose place of business is in Estonia and who, irrespective of the selling technique, including by means of distance communication, places fishing gear containing plastic on the Estonian market in the course of its commercial or professional activity;

2) who, by means of a distance contract as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, places fishing gear containing plastic on the Estonian market in the course of its commercial or professional activity;

3) who sells fishing gear containing plastic by means of distance communication directly to Estonian households or other users, but who is established in another Member State of the European Union or outside the European Union.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(1¹¹) For the purposes of this Act, a producer of wet wipes means a natural or legal person:

1) whose place of business is in Estonia and who, irrespective of the selling technique, including by means of distance communication, places single-use wet wipes on the Estonian market in the course of its commercial or professional activity;

2) who, by means of a distance contract as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, places single-use wet wipes on the Estonian market in the course of its commercial or professional activity;

3) who sells single-use wet wipes by means of distance communication directly to Estonian households or other users, but who is established in another Member State of the European Union or outside the European Union.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(1¹²) For the purposes of this Act, a producer of balloons means a natural or legal person:

1) whose place of business is in Estonia and who, irrespective of the selling technique, including by means of distance communication, places balloons on the Estonian market in the course of its commercial or professional activity;

2) who, by means of a distance contract as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, places balloons on the Estonian market in the course of its commercial or professional activity;

3) who sells balloons by means of distance communication directly to Estonian households or other users, but who is established in another Member State of the European Union or outside the European Union.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(1¹³) For the purposes of this Act, a producer of tobacco products with filters and filters marketed for use in combination with tobacco products means a natural or legal person:

1) whose place of business is in Estonia and who, irrespective of the selling technique, including by means of distance communication, places tobacco products with filters and filters marketed for use in combination with tobacco products on the Estonian market in the course of its commercial or professional activity;

2) who, by means of a distance contract as defined in point (7) of Article 2 of Directive 2011/83/EU of the European Parliament and of the Council, places tobacco products with filters and filters marketed for use in combination with tobacco products on the Estonian market in the course of its commercial or professional activity;

3) who sells tobacco products with filters and filters marketed for use in combination with tobacco products by means of distance communication directly to Estonian households or other users, but who is established in another Member State of the European Union or outside the European Union.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(1¹⁴) A person whose products are handmade is not deemed a producer of fishing gear containing plastic specified in this section and in § 26 of this Act.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(2) A person who only engages in financing based on a financing agreement (e.g. a bank) is not deemed to be a producer unless it operates as a producer according to subsection 1¹, 1², 1³, 1⁴, 1⁵ or 1⁶ of this section.

[RT I, 04.04.2012, 2 – entry into force 14.04.2012]

(2¹) For the purposes of this Act, financing agreement is deemed to be a loan agreement, leasing contract, commercial lease contract, hire purchase contract or an agreement related to products of concern regardless of whether or not such contract or agreement, or a warranty contract or warranty agreement provides the transfer of the right of ownership of such products.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(3) For the purposes of this Act, producers' responsibility organisation means a non-profit organisation or other association not seeking economic income whose members are producers or producers' associations exclusively and who has, as one of its objectives, the organisation or financing of the collection and recovery of waste resulting from a certain type of products of concern.

(4) A producers' responsibility organisation must ensure:

1) access for the producers of the corresponding type of products of concern to the services offered by the producers' responsibility organisation;

2) equal treatment of the producers who have transferred their obligations;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

3) purchase of services relating to handling of waste based on free competition and disclosure of the procedure for selecting the service provider on the website of the producers' responsibility organisation;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

4) availability of the data related to waste collection and recovery to the Ministry of Climate and the persons with the right of supervision;

[RT I, 30.06.2023, 1 – entry into force 01.07.2023; based on subsection 6 of § 105.19 of the Government of the Republic Act, the words "Ministry of the Environment" have been replaced with words "Ministry of Climate"]

5) disclosure on its website of the amount of the contributions made by producers per one ton of the mass of products of concern placed on the market;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

6) organisation of recovery of waste resulting from products of concern within three years after their collection and achievement of recovery targets.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4¹) Upon calculation of the waste handling service charge payable by the producer, account shall be taken of:

1) product durability;

2) reparability;

3) re-usability;

4) recyclability;

5) the presence of hazardous substances, thereby proceeding from a product life-cycle approach and the extent to which the producer, when producing the product, has taken into account the requirements provided in subsections 1 and 2 of § 21 and subsections 1 and 3 of § 24 of this Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(5) For the purposes of this Act, distributor means a natural or legal person participating in the supply chain who makes a product of concern available on the market.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(6) For the purposes of this Act, authorised representative means a person who performs the obligations of a producer in the territory of a Member State in relation to extended producer responsibility schemes where the producer does not have a seat in the Member State. The authorities are valid only if these have been approved in writing by the authorised representative and these are effective at least for all products of concern of the same type. The authorised representative performs the tasks specified in the authorisation received from the producer.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(7) An online platform as defined in Article 3, point (i), of Regulation (EU) 2022/2065 of the European Parliament and of the Council on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1–102) allowing consumers to conclude distance contracts with traders has the right to register as a producer and fulfil extended producer responsibility obligations on behalf of traders. When registering, the online platform must provide the names of the traders on whose behalf the extended producer responsibility obligations are fulfilled.

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

§ 23¹. Self-checking systems of producers and producers' responsibility organisations

(1) Producers and producers' responsibility organisations must implement a self-checking system which ensures availability of at least the data concerning:

1) correctness of financing of the obligations provided in subsection 1 of § 25¹ of this Act;

2) correctness of compliance with the requirements for calculation of waste handling service charges for producers in accordance with subsection 4¹ of § 23 of this Act;

3) correctness of data submitted to the register of products of concern;

4) correctness of data collected about waste shipments pursuant to the provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (OJ L 190, 12.7.2006, p. 1–98).

(2) Persons who have an eco-management and audit scheme compliant with the requirements of Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1–45) are released from the obligation specified in subsection 1 of this section.

(3) The data of the self-checking system must be documented and updated if necessary at least once every 12 months.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 24. Obligations of producers in prevention of waste generation and collection of waste generated

(1) When manufacturing products, the producers shall, as far as possible:

1) limit the use of substances in order to prevent their release into the environment and the need to dispose of the waste as hazardous waste;

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

- 2) promote integration of secondary raw materials in products;
3) facilitate the re-use, dismantling and recycling of the waste resulting from products.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(2) Secondary raw material means substances or materials recycled as a result of waste recovery operations.

(3) The requirements for environmentally sound handling of waste resulting from products, especially the requirements for waste recovery shall be taken into account already in planning for and designing new products.

(3¹) A producer may, through specific design features or manufacturing processes of a product, prevent the product from being re-used only if such specific design features or manufacturing processes present overriding advantages with regard to the protection of the environment or safety requirements.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(4) For the purposes of treatment of the waste resulting from the products manufactured by a producer, the producer is required to provide waste handlers with information concerning the materials and components used in the products and the content and location of hazardous substances in the products.
[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(4¹) The minister in charge of the policy sector and environmental supervision agencies have the right to receive information from the producers and importers of products concerning the products manufactured in or imported into Estonia and the substances used for the manufacture thereof as well as the waste generated therefrom and its handling.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(5) In order to avoid environmental or health hazards in handling waste resulting from products, the minister in charge of the policy sector has the right to issue regulations establishing the maximum contents of hazardous substances in products and the technical regulations for determining the content of hazardous substances or the target indicators for using secondary raw materials in the manufacturing of the products.

§ 24¹. Obligation of manufacturer upon manufacturing of electrical and electronic equipment incorporating batteries and accumulators

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(1) A manufacturer shall design electrical and electronic equipment such that waste batteries and accumulators can be readily removed from the equipment.
[RT I, 20.02.2015, 2 – entry into force 01.07.2015]

(1¹) If waste batteries and accumulators cannot be readily removed from electrical and electronic equipment by the end-user, a manufacturer shall design appliances in such a way that waste batteries and accumulators can be readily removed by qualified professionals that are independent of the manufacturer.
[RT I, 20.02.2015, 2 – entry into force 01.07.2015]

(2) Electrical and electronic equipment in which batteries and accumulators are incorporated shall be accompanied by instructions on how those batteries and accumulators can be safely removed by either the end-user or by qualified professionals that are independent of the manufacturer. Where appropriate, the instructions shall also inform the end-user of the types of battery or accumulator incorporated into the appliance.
[RT I, 20.02.2015, 2 – entry into force 01.07.2015]

(3) The provisions of subsections 1–2 of this section shall not apply if, for safety, performance, medical or data integrity reasons, continuity of power supply is necessary and a permanent connection between the appliance and the battery or accumulator is required.
[RT I, 20.02.2015, 2 – entry into force 01.07.2015]

§ 25. Products of concern

(1) Product of concern means a product the waste resulting from which causes or may cause health or environmental hazards, environmental nuisances or excessive pollution of the environment.

(2) Products of concern comprise:

- 1) batteries and accumulators;
- 2) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]
- 3) motor vehicles and parts thereof;
[RT I 2010, 44, 260 – entry into force 19.07.2010]
- 4) electrical and electronic equipment and parts thereof;
- 5) tyres;

[RT I 2010, 44, 260 – entry into force 19.07.2010]

6) agricultural plastic;

[RT I, 04.04.2012, 2 – entry into force 14.04.2012]

7) fishing gear containing plastic and their components;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

8) wet wipes;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

9) balloons;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

10) tobacco products with filters and filters marketed for use in combination with tobacco products.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(3) For the purposes of this Act:

1) battery or accumulator means a battery as defined in paragraph 1 of Article 3 of Regulation (EU) 2023/1542 of the European Parliament and of the Council concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L 191, 28.7.2023, p. 1–117);

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

2) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

3) motor vehicle means a motor vehicle of categories M1, N1 and L2e or part of a motor vehicle of categories M1, N1 and L2e, with the exception of vehicles of historical value in accordance with § 83 of the Traffic Act and parts thereof provided that they have been stored properly and in an environmentally friendly manner in a facility having a rainproof and liquid-proof covering and their storage does not result in an environmental nuisance within the meaning of subsection 1 of § 3 of the General Part of the Environmental Code Act;

[RT I, 31.12.2024, 1 – entry into force 01.01.2025]

4) electrical and electronic equipment means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and designed for use with a voltage rating not exceeding 1000 Volt for alternating current and 1500 Volt for direct current;

5) tyre means a tyre for a trailer defined in clause 9, for an off-road vehicle defined in clause 36, for a motor vehicle defined in clause 40, for towed equipment defined in clause 58 and for interchangeable towed equipment defined in clause 91 of § 2 of the Traffic Act;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

6) agricultural plastic means silage wrap film, silage covering film, tunnel film, net wrap and plastic twine;

[RT I, 04.04.2012, 2 – entry into force 14.04.2012]

7) fishing gear means any item or piece of equipment that is used in fishing or aquaculture to target, capture or rear marine biological resources or that is floating on the sea surface, and is deployed with the objective of attracting and capturing or of rearing such marine biological resources;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

8) wet wipes mean pre-wetted personal care and domestic wipes containing plastic;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

9) balloon means a non-porous bag of light material that can be inflated with air or gas and which is used for decoration at parties or as a children's toy, except balloons for industrial or other professional uses and applications that are not distributed to consumers;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

10) tobacco product with filter and filter marketed for use in combination with tobacco product means a tobacco product with filter containing plastic and filter containing plastic marketed for use in combination with tobacco product.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(3¹) The words dependent on electric currents or electromagnetic fields in order to work properly provided for in clause 4 of subsection 3 of this section shall mean, for the purposes of §§ 26¹⁰–26¹⁶ and 27, that electrical and electronic equipment needs electric currents or electromagnetic fields to fulfil at least one intended function.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(4) The minister in charge of the policy sector has the right to issue regulations establishing the methods and procedure for marking products of concern.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 25¹. Principle of extended producer responsibility

(1) A producer is required to ensure the handling of waste resulting from its products of concern placed on the market and bear the costs thereof. The producer may choose whether to perform those obligations individually or to transfer them by written contract to a producers' responsibility organisation.

(2) To fulfil the obligations provided in subsection 1 of this section, a producer or producers' responsibility organisation must ensure the necessary financial means or financial and organisational means that meet the following requirements:

1) they cover the costs incurred in the separate collection and subsequent transport and processing of waste from a product of concern placed on the market by the producer, including in the processing necessary to meet

the targets established on the basis of subsection 3 of § 26 of this Act, taking into account the revenue from the re-use or sale of secondary raw materials derived from such product or from unclaimed deposit fees;

2) they cover the costs of providing relevant information to waste holders pursuant to subsection 1 of § 26⁸ of this Act;

3) they cover the costs related to registration in the register of products of concern and providing information to the register on the basis of subsection 1¹ of § 26¹ of this Act;

4) they do not exceed the costs required for providing cost-effective waste management services.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2¹) A producer or producers' responsibility organisation must ensure a take-back and collection network for waste generated by products of concern placed on the market, covering the entire national territory, close to the end-user and not exclusively focusing on areas and products for which the collection and management of waste is profitable.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3) A producer shall be responsible for its products of concern placed on the market until the waste resulting from the products of concern have been duly handled. The provisions of subsection 4 of § 28 of this Act do not apply to producers of products of concern.

(4) A producer whose seat is not in Estonia, but who places products of concern on the market in Estonia in the course of its commercial or professional activity, irrespective of the selling technique used, appoints, in order to place products of concern on the market, an authorised representative, being a natural or legal person with residence or seat in Estonia, who performs the obligations of extended producer responsibility of the producer of products of concern for this person.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(5) Undertakings recovering or disposing and undertakings intermediating the recovery or disposal of waste resulting from products of concern must present a recovery certificate to a producer, producers' responsibility organisation or undertaking intermediating the recovery or disposal at their request. A recovery certificate shall set out the person transferring waste resulting from products of concern, the type, code and quantity of waste resulting from products of concern and the quantity of waste resulting from recovered or disposed product of concern, the code of the recovery or disposal operation and the country where the recovery or disposal has taken place.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(6) In order to organise the collection and recovery or disposal of waste from tyres, portable batteries, light means of transport batteries, electric vehicle batteries, industrial batteries and household electrical and electronic equipment, producers of the specified products of concern are required to enter into a written contract with a producers' responsibility organisation.

[RT I, 03.12.2025, 1 – entry into force 01.01.2026]

§ 25². Covering of costs related to certain single-use products containing plastic

(1) Producers of wet wipes, producers of balloons and producers of tobacco products with filters and filters marketed for use in combination with tobacco products are obliged to cover the following costs:

1) the awareness raising costs specified in § 26⁸ of this Act regarding those products;

2) [repealed – RT I, 31.12.2024, 2 – entry into force 10.01.2025]

3) the costs of cleaning up litter resulting from those products and the subsequent transport and treatment of that litter.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(2) Producers of tobacco products with filters and filters marketed for use in combination with tobacco products must bear, in addition to the costs of collection of the products discarded in the relevant public collection systems, the costs of the infrastructure and its operation and the subsequent transport and handling of that waste. Such costs may include the costs of setting up infrastructure for the collection of waste generated by the consumption of these particular products, such as suitable waste containers in places where littering is more likely to occur.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3) The costs specified in subsections 1 and 2 of this section shall not exceed the cost of providing the services specified in those subsections in a cost-effective manner. Such costs are established in a transparent way between the actors concerned. The costs of cleaning up litter are limited to the activities carried out or authorised by public authorities.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

(4) The methodology for uniform calculation of the costs provided in subsections 1 and 2 of this section and the procedure for determination of the costs are established by a regulation of the minister in charge of the policy sector.

[RT I, 07.03.2023, 1 – entry into force 01.01.2024]

§ 26. Obligations of producers in handling waste resulting from products of concern

(1) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1¹) The provisions of § 25¹ of this Act and the obligations established on the basis of subsection 3 of this section apply to the persons who receive waste resulting from products of concern from waste holders.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1²) [Repealed – RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(1³) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1⁴) A producer of tyres is required to take back a tyre of the same type, regardless of when the tyre was placed on the market, which brand appears on the tyre and whether the user intends to buy a tyre or not.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(1⁵) A producer of agricultural plastic is required to take back or organise the take-back and recovery of agricultural plastic placed on the market thereby, but not exceeding the total weight of the plastic placed on the market during the previous calendar year by the producer.

[RT I, 04.04.2012, 2 – entry into force 14.04.2012]

(1⁶) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1⁷) A producer of electrical and electronic equipment, motor vehicles, motor vehicle parts, tyres, agricultural plastic, wet wipes, balloons, tobacco products with filters and filters marketed for use in combination with tobacco products, or fishing gear containing plastic, who, in the course of its commercial or professional activity, places its products on the market of another Member State of the European Union where it does not have a seat appoints an authorised representative who is a natural or legal person with residence or seat in that Member State who performs the obligations imposed on the producer on its behalf.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) The requirements and procedure for the collection, return to producers and recovery or disposal of waste resulting from products of concern as well as the targets and time limits for reaching targets shall be established by a regulation of the Government of the Republic.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3¹) Requirements and procedures for the collection, return to the producer and recovery or disposal of waste resulting from batteries or accumulators and collection and recovery targets for waste batteries or accumulators are set out in Chapter VIII of Regulation (EU) 2023/1542 of the European Parliament and of the Council.

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(4) The person specified in subsection 1¹ of this section shall cover the costs for handling of waste resulting from products of concern received from the waste producer.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4¹) [Repealed – RT I, 31.12.2024, 1 – entry into force 01.01.2025]

(4²) If the waste resulting from electrical or electronic equipment returned to the producer is not complete in comparison to the original equipment and lack parts which were included in the original set or composition of the equipment and which contain a significant amount of material, are expensive or contain hazardous waste, or if other waste has been added to the equipment, then the producer may demand that the waste holder cover a part of the waste management costs. Any disputes concerning the completeness of equipment shall be settled by a person authorised by the city or rural municipality government.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(4³) [Repealed – RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(5) The obligation to guarantee and finance the management of waste resulting from products of concern placed on the market before obligations related to the products of concern arise to the producers (historical waste) rests with the producers who operate on the market at the time the corresponding products of concern turn into waste in proportion to their share in the market of the corresponding type of products of concern.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(6) [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

(7) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(8) The Government of the Republic or a minister authorised thereby has the right to issue regulations establishing the requirements and procedure for collection, return to the producer, recovery and disposal of waste resulting from products of concern which have been removed from use.

(9) A producer who has transferred, by a written contract, the obligations provided by this Act to a producers' responsibility organisation and who has fulfilled its obligations to the producers' responsibility organisation is not responsible for achieving the recovery and recycling targets of waste resulting from products of concern and forwarding data to the register of products of concern. In such case, the producers' responsibility organisation shall be responsible for the fulfilling respective obligations of the producer.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(10) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(11) The provisions of subsections 1 and 2 of § 25¹, subsections 1¹, 1⁴, 1⁵, 1⁷, 3–5 and 8 of this section and §§ 26¹ and 26² of this Act do not apply to:

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

1) electrical and electronic equipment which is connected with the protection of the essential interests of national security, including arms, munitions and war material intended for specifically military purposes;

2) electrical and electronic equipment which is designed and installed as a specific part of another type of equipment which is not subject to the provisions of subsections 1¹, 1⁴, 1⁵, 1⁷, 3–5 and 8 of this section and §§ 25¹, 26¹ and 26² of this Act or which is not electrical and electronic equipment pursuant to clause 4 of subsection 3 of § 25 and which only functions as part of that other type of equipment;

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

3) incandescent lamps.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(12) In addition to the provisions of subsection 11 of this section, the provisions of subsections 1¹, 1⁴, 1⁵, 1⁷, 3–5 and 8 of this section and §§ 25¹, 26¹ and 26² of this Act do not apply to:

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

1) electrical and electronic equipment designed to be sent into space;

2) large-scale stationary industrial tools;

3) large-scale fixed installations, except any equipment which is not specifically designed and installed as part of those installations;

4) means of transport for persons or goods, excluding electric two-wheel vehicles which are not type-approved;

5) non-road mobile machinery made available exclusively for professional use;

6) electrical and electronic equipment specifically designed solely for the purposes of research and development that is only made available on a business-to-business basis;

7) medical devices and *in vitro* diagnostic medical devices, which are expected to be infective before the end of their life, and active implantable medical devices.

[RT I, 08.07.2014, 13 – entry into force 15.08.2018]

(13) In this section, the following terms are used:

1) large-scale stationary industrial tools – the term has the meaning provided for in clause 1 of subsection 6 of § 27 of this Act;

2) large-scale fixed installation – a large-size combination of several types of apparatus and, where applicable, other devices, which are assembled, installed and de-installed by professionals, are intended to be used permanently as part of a building or a structure at a pre-defined and dedicated location and can only be replaced by the same specifically designed equipment;

3) non-road mobile machinery made available exclusively for professional use – the term has the meaning provided for in clause 4 of subsection 6 of § 27 of this Act;

4) medical device – a medical device or an accessory for a medical device pursuant to points (1) and (2) of Article 2 of Regulation (EU) 2017/745 of the European Parliament and of the Council which is also electrical or electronic equipment;

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

5) *in vitro* diagnostic medical device – *in vitro* diagnostic medical device and accessory for an *in vitro* diagnostic medical device within the meaning of points (2) and (4) of Article 2 of Regulation (EU) 2017/746 of the European Parliament and of the Council on *in vitro* diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU (OJ L 117, 5.5.2017, p. 176–332);

[RT I, 22.12.2022, 2 – entry into force 01.01.2023]

6) active implantable medical device – an active implantable medical device within the meaning of Articles 2(4) and 2(5) of Regulation (EU) 2017/745 of the European Parliament and of the Council.

[RT I, 17.05.2020, 1 – entry into force 26.05.2021]

§ 26¹. Register of products of concern

(1) The register of products of concern is a database belonging to the state information system and its purpose is to gather data on producers and responsibility organisations of producers of products of concern and to keep records of the products of concern placed on the market and of the collection, treatment, recovery and the attainment of the targets for the recovery of waste generated from products of concern in Estonia in order to promote prevention and reduction of waste generation, collection and treatment of waste, and recovery and recycling. The database is used for exercising state supervision and for submitting information on waste to the European Commission on the basis of the data entered in the register.
[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1¹) Producers are required to register themselves in the register of products of concern and to submit data to the register.
[RT I 2007, 19, 94 – entry into force 11.03.2007]

(1²) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1³) A producer whose place of business is outside Estonia and who places products of concern on the market in Estonia shall be registered in the register of products of concern through an authorised representative having a place of business in Estonia. An authorised representative shall be appointed by a written authorisation.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1⁴) A producer of electrical and electronic equipment established in Estonia but who places electrical and electronic equipment on the market of another Member State of the European Union shall be registered in a corresponding register of that Member State of the European Union where the producer places equipment on the market.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(1⁵) The data controller of the register of products of concern is the Ministry of Climate.
[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1⁶) The data processed in the information system of the register of products of concern include general data of persons.
[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1⁷) The maximum period for the retention of data in the register of products of concern is unlimited. The specific data retention periods are provided in the statutes of the database.
[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1⁸) A person other than a producer who receives waste resulting from products of concern from waste holders and recovers or disposes of it is required to submit to the register of products of concern data on the handling of waste resulting from products of concern in accordance with the obligations provided in § 25¹ of this Act and the requirements established on the basis of subsection 3 of § 26.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1⁹) Where a person specified in subsection 1⁸ of this section provides a service to a producer of products of concern and submits data to the register of products of concern on the producer's behalf, the obligation of the producer of products of concern to submit data on the handling of waste generated from products of concern is deemed to be complied with.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) The statutes of the register of products of concern are established by a regulation of the Government of the Republic, setting out:

- 1) the functions of the data controller and data processor;
 - 2) data providers and the data submitted by them;
 - 3) a more detailed composition of the data to be collected and the procedure for entry thereof in the information system;
 - 4) the procedure for access to data and issue of data;
 - 5) data retention periods, including the period for the retention of logs, and a more detailed procedure for the retention of data;
 - 6) other organisational matters.
- [RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(3) The information subject to entry in the register of products of concern, the procedure for submission thereof, access to information in the register and the procedure for forwarding information arising from international agreements shall be established by the statutes of the register of products of concern.
[RT I 2010, 44, 260 – entry into force 19.07.2010]

(3¹) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4) The minister in charge of the policy sector has the right to establish, by a regulation, a detailed list of the waste resulting from products of concern in compliance with the waste list prepared on the basis of subsection 4 of § 2 of this Act if this is necessary in order to specify the waste and to enter the recovery data in the register or products of concern.
[RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 26². Covering of costs incurred upon return of waste electrical and electronic equipment to producer

(1) A producer of electrical and electronic equipment covers the costs of collection, treatment, recovery and environmentally sound disposal of waste electrical and electronic equipment from private households resulting from its product and brought to the collection site in the case of:

1) waste electrical and electronic equipment resulting from electrical and electronic equipment, except photovoltaic panels, falling within the categories provided in Annex I to Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (OJ L 197, 24.7.2012, p. 38–71) and placed on the market after 13 August 2005;

2) waste electrical and electronic equipment resulting from photovoltaic panels placed on the market from 13 August 2012;

3) waste electrical and electronic equipment resulting from electrical and electronic equipment falling within the categories specified in Annex III to Directive 2012/19/EU of the European Parliament and of the Council and placed on the market from 15 August 2018, which does not fall within the scope of Annex I to that Directive.

(2) Waste electrical and electronic equipment means electrical and electronic equipment which is waste within the meaning of subsection 1 of § 2 of this Act, including all components, sub-assemblies and accessories, which are parts of the product at the time of its disposal.

(3) The costs of collection, treatment, recovery and environmentally sound disposal of waste electrical and electronic equipment resulting from electrical and electronic equipment of private households, except photovoltaic panels, falling within the categories specified in Annex I to Directive 2012/19/EU of the European Parliament and of the Council and placed on the market until 13 August 2005 are covered jointly by all producers of electrical and electronic equipment of private households who are active on the market at the time the specified costs are incurred. The producers cover the costs in proportion to their market share in the market for the sale of the relevant type of electrical and electronic equipment.

(4) Producers of electrical and electronic equipment cover the costs of collection, treatment, recovery and environmentally sound disposal of waste electrical and electronic equipment from users other than private households in the case of:

1) waste electrical and electronic equipment resulting from electrical and electronic equipment, except photovoltaic panels, falling within the categories specified in Annex I to Directive 2012/19/EU of the European Parliament and of the Council and placed on the market after 13 August 2005;

2) waste electrical and electronic equipment resulting from photovoltaic panels placed on the market from 13 August 2012;

3) waste electrical and electronic equipment resulting from electrical and electronic equipment falling within the categories specified in Annex III to Directive 2012/19/EU of the European Parliament and of the Council and placed on the market from 15 August 2018, which does not fall within the scope of Annex I to that Directive.

(5) The costs of treatment of waste resulting from electrical and electronic equipment of users other than private households, except photovoltaic panels, falling within the categories specified in Annex I to Directive 2012/19/EU of the European Parliament and of the Council and placed on the market until 13 August 2005, which are replaced by new products that are equivalent or perform the same function, are covered by the producers of the relevant product upon delivery of the product.

(6) The costs of treatment of other waste resulting from electrical and electronic equipment, except photovoltaic panels, falling within the categories specified in Annex I to Directive 2012/19/EU of the European Parliament and of the Council and placed on the market until 13 August 2005, are covered by the waste holder.

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

§ 26³. Transfer, collection and receipt of end-of-life vehicles, covering of incurred costs and certificate of destruction

[RT I, 31.12.2024, 1 – entry into force 01.01.2025]

(1) An end-of-life vehicle may be transferred to a waste handler who holds an environmental protection permit and has concluded a contract with a motor vehicle producer or a motor vehicle producers' responsibility organisation in a form reproducible in writing.

(2) An end-of-life vehicle means a motor vehicle which is waste within the meaning of subsection 1 of § 2 of this Act.

(3) An end-of-life vehicle which has been deleted from the motor register under the Traffic Act is subject to the requirements of this section.

(4) An end-of-life vehicle which is not complete must be transferred to a waste handler specified in subsection 1 of this section.

(5) A vehicle is not complete if it lacks parts which were included in its complete set and contain a significant amount of material or are technically essential, such as the chassis, axles, engine, gearbox, catalytic converter, electronic control unit or any other part that prevents the vehicle from being used in traffic.

(6) When an end-of-life vehicle is transferred to a waste handler specified in subsection 1 of this section and the vehicle is not complete or waste has been added to it, the waste handler may require the waste holder to cover part of the waste management costs, taking into account the value of the material of the missing part of the vehicle concerned and the costs of managing the waste added to the vehicle.

(7) The provisions of subsection 6 of this section do not apply if:

- 1) a part of an end-of-life vehicle is missing as a result of a misdemeanour or criminal offence, unless the waste holder was the person who committed the misdemeanour or criminal offence;
- 2) the transferor is the Environmental Board, a local authority or its agency.

(8) When a complete end-of-life vehicle is transferred to a waste handler specified in subsection 1 of this section and the vehicle has no market value or its market value is negative, the waste handler may not require the waste holder to cover the waste management costs or other costs.

(9) A producer of motor vehicles ensures the collection of end-of-life vehicles free of charge and their transfer, at least once a year, to a waste handler specified in subsection 1 of this section at no cost.

(10) An end-of-life vehicle collected under subsection 9 of this section is transferred free of charge.

(11) A producer of motor vehicles sets up or participates in the setting up of a collection system, including collection facilities, for all end-of-life vehicles belonging to the vehicle categories it has made available on the market for the first time within the territory of a Member State.

(12) A producer of motor vehicles ensures that the collection system specified in subsection 11 of this section covers the entire national territory and that there is adequate availability of collection facilities, taking into account the size and density of the population and the expected number of end-of-life vehicles, and that the collection facilities are not only located in the areas where collection and subsequent handling are most profitable.

(13) A producer of motor vehicles bears the cost of receiving and handling end-of-life vehicles in proportion to its market share, by vehicle make, of motor vehicles initially registered in the motor register in the previous calendar year.

(14) A producer of motor vehicles and a waste handler specified in subsection 1 of this section are required to receive waste used parts resulting from maintenance of motor vehicles, free of charge, from distributors of motor vehicle parts, motor vehicle maintenance workshops, the local authority and the waste handler operating the local government waste treatment plant under a contract.

(15) The right to issue certificates of destruction is held by a waste handler specified in subsection 1 of this section who ensures that the end-of-life vehicle is properly treated.

(16) A waste handler specified in subsection 1 of this section may, by contract, transfer the right to issue certificates of destruction to a collector of end-of-life vehicles who collects end-of-life vehicles on behalf of the waste handler.

(17) Collector of end-of-life vehicles means a person holding an environmental protection permit who collects and transports end-of-life vehicles transferred by other persons, for the purposes of their subsequent recovery or disposal.

(18) On receipt of an end-of-life vehicle, a waste handler specified in subsection 1 of this section issues a certificate of destruction free of charge to the transferor.

(19) A certificate of destruction concerning a vehicle deleted from the motor register must contain at least the information described in the Annex to Commission Decision No. 2002/151/EC on minimum requirements for the certificate of destruction issued in accordance with Article 5(3) of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 50, 21.2.2002, p. 94–95).
[RT I, 31.12.2024, 1 – entry into force 01.01.2025]

§ 26⁴. Distribution of costs arising from collection and recovery of products of concern between producers and producers' responsibility organisations

(1) With regard to waste resulting from products of concern, each producer of products of concern and responsibility organisation of producers of products of concern which has collected and properly recovered or disposed of waste resulting from products of concern more than the quantity equivalent to its market share in the market for that type of product of concern has the right to claim reimbursement of the costs of collection, transport, recovery or disposal from another producer or responsibility organisation of producers of the product of concern which has collected and properly recovered or disposed of the waste resulting from the products of concern less than the quantity equivalent to its market share in that type of product of concern, to the extent that this ensures proportionate liability on the basis of their market shares.

(2) The costs incurred in collecting, transporting, recovering and disposing of products of concern are calculated and allocated on the basis of the data registered in the register of products of concern.

(3) A producer or responsibility organisation of producers of products of concern is entitled to claim reimbursement of the costs incurred in collecting, transporting, recovering or disposing of products of concern only if it has offered to hand over the waste resulting from products of concern, but the relevant producer or responsibility organisation of producers of products of concern has declined the offer.

(4) The claim for reimbursement of the costs of collection, transport, recovery or disposal of waste resulting from products of concern submitted to a producer or responsibility organisation of producers of products of concern may not exceed the costs necessary to fulfil the producer's obligations related to the extended producer responsibility.

(5) The procedure for reimbursing costs provided in subsection 1 of this section is determined between the parties concerned in a transparent manner and on the basis of a contract concluded between producers or producers' responsibility organisations. Costs are reimbursed in accordance with the provisions of the Law of Obligations Act. The reimbursement is calculated taking into account the revenues from the re-use and preparation for re-use of products of concern and from the sale of secondary raw materials.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 26⁵. Submission of information to users concerning costs of treatment of waste electrical and electronic equipment

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1) Upon the sale of electrical and electronic equipment placed on the market before 13 August 2005, the producers may indicate the waste management costs as a separate part of the price of the equipment until 13 August 2012 or until 13 August 2014.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(1¹) Upon the sale of electrical and electronic equipment placed on the market after 13 August 2005, the producers may not indicate the waste management costs as a separate part of the price of the equipment.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(2) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(3) The minister in charge of the policy sector shall establish, by a regulation, a detailed list of the terms specified in subsection 1 of this section by categories of electrical and electronic equipment.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 26⁶. Covering of costs incurred upon collection and further handling of used batteries and accumulators

[Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

§ 26⁷. Obligations of producers and distributors upon taking back waste resulting from electrical and electronic equipment at place of sale

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(1) A distributor of electrical and electronic equipment is responsible for ensuring that waste resulting from the equipment can be returned to the distributor at the place of sale free of charge on a one-to-one basis as long as the equipment is of equivalent type and has fulfilled the same functions as the supplied equipment.

(1¹) A distributor of electrical and electronic equipment is required at its place of sale, the selling space of which is at least 400 m², to take back waste electrical and electronic equipment free of charge the external dimensions of which do not exceed 25 cm, regardless of whether the user buys a new equipment of the same type or equipment of the such type is sold in the place of sale.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(2) A producer of electrical and electronic equipment shall supply the distributor specified in subsections 1 and 1¹ of this section with the necessary collection container upon the corresponding request of the distributor.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(3) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(4) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

§ 26⁸. Notification of users of products of concern and organisation of information campaign

(1) A producer is required to provide the user of a product of concern with information on the places where waste resulting from the product of concern can be returned and to carry out information campaigns to increase users' environmental awareness and motivate the user to act responsibly.

(2) A producer and producers' responsibility organisation are required, in co-operation with the distributor, to make information available to the user of a product of concern regarding the places where waste resulting from the product of concern can be returned by making available the locations and the telephone numbers where relevant information can be obtained.

(3) A producer and producers' responsibility organisation are required to organise information campaigns, including national information campaigns, at least once a year, to inform users of products of concern of the possibilities for collecting and handling waste resulting from products of concern.

(4) The list of information to be made available to users of products of concern and the manners of and procedure for the presentation of information are established by a regulation of the minister in charge of the policy sector.

(4¹) The list of information to be made available to users of batteries and accumulators is set out in Chapter III of Regulation (EU) 2023/1542 of the European Parliament and of the Council.

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(5) The costs of notification are borne by the producer or producers' responsibility organisation. Producers and producers' responsibility organisations may organise joint information campaigns, in which case the costs are borne in proportion to their market share.

(6) A producer who fulfils the obligations on an individual basis and the producers' responsibility organisation are required to preserve documents about the information campaigns, including a national information campaign, carried out in the previous calendar year and about the costs of these.

(7) A producer and a responsibility organisation of producers of motor vehicle parts or electrical and electronic equipment of private households are required, in co-operation with the distributor, to make available, in addition to the information specified in subsection 2 of this section, also information concerning the possibility to return waste electrical and electronic equipment or used motor vehicle parts to the place of sale.

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(8) [Repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(9) The following are not required to organise the information campaign specified in subsection 3 of this section:

1) a producer of electrical and electronic equipment who places on the market only equipment other than household electrical and electronic equipment;

2) [repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

3) [repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

4) a producer of tyres who places on the market solid tyres or tyres of excavation dumpers;

5) a producer of agricultural plastic.

(10) The following are not required to organise the national information campaign specified in subsection 3 of this section:

1) a producer of fishing gear containing plastic;

2) a producer of wet wipes;

3) a producer of balloons;

4) a producer of tobacco products with filters and filters marketed for use in combination with tobacco products.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 26⁹. Restriction on receipt and buying up of products of concern

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1) Only a producer or producers' responsibility organisation registered in the register of products of concern or a person holding an environmental protection permit who performs the obligations related to the extended producer responsibility of producers, including the obligation provided in subsection 1⁸ of § 26¹ of this Act, is permitted to receive or buy up products of concern or components separated from products of concern as waste. [RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) Components separated from products of concern may be bought up as waste only from a producer or producers' responsibility organisation registered in the register of products of concern or from an undertaking whose legitimate activity results in the waste being generated.

(3) The restrictions provided for in subsections 1 and 2 of this section do not apply to the sale of waste resulting from products of concern acquired by a supervision authority or local authority in the course of supervision. [RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 26¹⁰. Obligations of manufacturer of electrical and electronic equipment

(1) In order to comply with the requirements provided for in § 27 of this Act, a manufacturer of electrical and electronic equipment (hereinafter *manufacturer*) is required to.

1) ensure upon placing on the market of electrical and electronic equipment that the equipment is designed and manufactured in conformity with the requirements provided for in § 27 of this Act;

2) comply with the requirements of the Product Conformity Act and the requirements established on the basis thereof as regards the placement of electrical equipment on the market;

[RT I, 23.03.2015, 4 – entry into force 01.07.2015]

3) draw up an European Union declaration of conformity and affix the CE marking on the finished product if the procedure specified in clause 2 of this subsection demonstrates that the electrical and electronic equipment is in conformity with the requirements;

4) keep the technical documentation and the European Union declaration of conformity for ten years after the electrical and electronic equipment has been placed on the market;

5) keep a register of non-conforming electrical and electronic equipment and product recalls, and keep distributors informed thereof;

6) ensure that the electrical and electronic equipment bears a type, batch or serial number or other element allowing its identification, or, where the size or nature of the electrical and electronic equipment does not allow it, that the required information is provided on the packaging or in a document accompanying the electrical and electronic equipment.

(2) Where other legislation requires the application of a conformity assessment procedure which is at least as stringent as provided for in clause 2 of subsection 1 of this section, compliance with the requirements provided for in § 27 of this Act may be demonstrated within the context of that procedure and a single technical documentation may be drawn up.

(3) In order to be in conformity with the requirements provided for in § 27 of this Act, manufacturers shall ensure that the procedure is in place for series production to remain in conformity with the specified requirements. Changes in product design or characteristics and changes in the harmonised standards or in technical specifications by reference to which conformity of electrical and electronic equipment is declared shall be adequately taken into account.

(4) In order to be in conformity with the requirements provided for in § 27 of this Act, manufacturers indicate their name, registered trade name or registered trade mark and the address at which they can be contacted on the electrical and electronic equipment or, where that is not possible, on its packaging or in a document accompanying the electrical and electronic equipment. The address must indicate a single point at which the manufacturer can be contacted. Where other legislation contains provisions for the affixing of the manufacturer's name and address which are at least as stringent, those provisions shall apply;

(5) In order to be in conformity with the requirements provided for in § 27 of this Act, manufacturers are required to, in addition to the provisions of subsections 1, 3 and 4 of this section:

1) immediately take the necessary corrective measures to bring the electrical and electronic equipment into conformity with the requirements established by this Act, to withdraw it or recall it, if the equipment placed on the market is not in conformity with the requirements provided for in § 27 of this Act;

2) immediately inform of the non-conformity of the equipment with the requirements provided for in § 27 of this Act the competent national authorities of the Member States in which they made the electrical and electronic equipment available to that effect, giving details, in particular, of the non-conformity and of any corrective measures taken;

3) at a reasoned request from a competent national authority of the Member State, provide it with all the information and documentation necessary to demonstrate the conformity of the electrical and electronic equipment with the requirements provided for in § 27 of this Act, in a language which can be easily understood by that authority;

4) to co-operate with the competent authority on any action taken by the manufacturer to ensure compliance with the requirements provided for in § 27 of this Act of the electrical and electronic equipment which they have placed on the market.

(6) In this section and §§ 26¹¹–26¹⁶ and 27 of this Act, the following terms are used:
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

1) manufacturer of electrical and electronic equipment means any person who manufactures an electrical and electronic equipment or who has an electrical and electronic equipment designed or manufactured and markets it under its name or trademark;

2) placing on the market means placing a product on the market within the meaning of Article 3(2) of Regulation (EU) 2019/1020 of the European Parliament and of the Council on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1–44);

[RT I, 22.10.2021, 3 – entry into force 01.11.2021]

3) recall means recall within the meaning of Article 3(22) of Regulation (EU) 2019/1020 of the European Parliament and of the Council;

[RT I, 22.10.2021, 3 – entry into force 01.11.2021]

4) withdrawal means withdrawal within the meaning of Article 3(23) of Regulation (EU) 2019/1020 of the European Parliament and of the Council;

[RT I, 22.10.2021, 3 – entry into force 01.11.2021]

5) conformity assessment means the process demonstrating whether the requirements for electrical and electronic equipment provided for in § 27 of this Act are met;

6) technical specification means technical specification within the meaning of Article 2(8) of Regulation (EC) No 765/2008 of the European Parliament and of the Council;

7) harmonised standard means harmonised standard within the meaning of Article 2(9) of Regulation (EC) No 765/2008 of the European Parliament and of the Council;

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹¹. Obligations of authorised representative

(1) A manufacturer has the right to appoint an authorised representative on the basis of a written authorisation to fulfil the requirements provided for in § 27 of this Act.

(2) For the purposes of this section and § 26¹⁴ of this Act, authorised representative means a person who has received from the manufacturer a written authorisation to act on behalf of the manufacturer with specific tasks.

(3) An authorised representative shall perform the tasks within the limits of the authority granted by the manufacturer.

(4) The authorisation shall enable the authorised person to perform at least the following acts to fulfil the requirements provided for in § 27 of this Act:

1) to keep the European Union declaration of conformity and the technical documentation at the disposal of the surveillance authority for ten years following the placing on the market of the electrical and electronic equipment;

2) at a reasoned request from competent authorities of the Member States, to provide them with all the information and documentation necessary to demonstrate the compliance of the electrical and electronic equipment with the requirements provided for in this Act;

3) to co-operate with the competent authorities of the Member States, at their request, on any action taken to ensure compliance of the electrical and electronic equipment with the requirements provided for in § 27 of this Act covered by the authorisation.

(5) An authorised representative shall not be required to perform the obligation provided for in clause 1 of subsection 1 of § 26¹⁰ of this Act or prepare technical documentation to fulfil the requirements provided for in § 27 of this Act.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹². Obligations of importer of electrical and electronic equipment

(1) In order to comply with the requirements provided for in § 27 of this Act, an importer of electrical and electronic equipment (hereinafter *importer*) is required:

1) to place only electrical and electronic equipment that complies with the requirements provided for in § 27 of this Act on the European Union market;

2) before placing an electrical and electronic equipment on the market, to ensure that the manufacturer has carried out appropriate assessment of conformity of the equipment with the requirements established by this Act, and that, according to the technical documentation prepared by the manufacture, the electrical and electronic equipment bears the CE marking and is accompanied by the required documents, and that the manufacturer has complied with the requirements provided for in clause 6 of subsection 1 of § 26¹⁰ and subsection 4 of § 26¹⁰ of this Act;

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

3) not to place an electrical and electronic equipment which is not in conformity with the requirements provided for in § 27 of this Act on the market until it has been brought into conformity with the requirements, and to inform the manufacturer and the supervisory authority thereof;

4) to keep, for ten years following the placing on the market of the electrical and electronic equipment, a copy of the European Union declaration of conformity at the disposal of supervisory authorities and ensure that the technical documentation can be made available to those authorities at their request.

(2) For the purposes of § 26¹⁴ of this Act, importer of electrical and electronic equipment means a person who places a product from a third country on the European Union market.

(3) In addition to the provisions of subsection 1 of this section, an importer is required to comply with the requirements provided for in clause 5 of subsection 1 of § 26¹⁰ and subsections 4 and 5 of § 26¹⁰ of this Act.

(4) The obligations of a manufacturer provided for in § 26¹⁰ of this Act shall apply to an importer if the importer places electrical and electronic equipment on the market under its name or trade mark, or modifies the electrical and electronic equipment already placed on the market in such a way that compliance with the requirements provided for in § 27 of this Act may be affected.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹³. Obligations of distributor of electrical and electronic equipment

(1) In order to comply with the requirements provided for in § 27 of this Act, a distributor of electrical and electronic equipment (hereinafter *distributor*) is required to:

1) when making an electrical and electronic equipment available on the market, to take into account the requirements applicable in particular by verifying that the electrical and electronic equipment bears the CE marking, that it is accompanied by the required documents in Estonian, and that the manufacturer and the importer have complied with the requirements provided for in clause 6 of subsection 1 of § 26¹⁰ and subsection 4 of § 26¹⁰ of this Act.

2) not to make an electrical and electronic equipment which is not in conformity with the requirements provided for in § 27 of this Act available on the market until it has been brought into conformity with the requirements, and to inform the manufacturer, importer and the supervisory authority thereof;

3) to take the necessary corrective measures to bring the electrical and electronic equipment into conformity with the requirements established by this Act, to withdraw it or recall it, if the equipment placed on the market is not in conformity with the requirements provided for in § 27 of this Act, and immediately inform the competent authority giving details, in particular, of the non-compliance and of any corrective measures taken;

4) at a reasoned request from a competent authority, provide it with all the information and documentation necessary to demonstrate the conformity of the electrical and electronic equipment with the requirements provided for in § 27 of this Act;

5) to co-operate with the competent authority on any action taken by the distributor to ensure compliance with the requirements provided for in § 27 of this Act of the electrical and electronic equipment which they have made available on the market.

(2) For the purposes of § 26¹⁴ of this Act, distributor means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes an electrical and electronic equipment available on the market.

(3) For the purposes of this section, making available on the market means making available on the market within the meaning of Article 3(1) of Regulation (EU) 2019/1020 of the European Parliament and of the Council.

[RT I, 22.10.2021, 3 – entry into force 01.11.2021]

(4) The obligations of a manufacturer provided for in § 26¹⁰ of this Act shall apply to a distributor of electrical and electronic equipment if the distributor places electrical and electronic equipment on the market under its name or trademark, or modifies the electrical and electronic equipment already placed on the market in such a way that compliance with the requirements provided for in § 27 of this Act may be affected.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹⁴. Obligations of undertaking upon submission of information to competent authority

(1) An undertaking is required to submit, at the request of a competent supervisory authority, information for ten years following the placing of an electrical and electronic equipment on the market which enables to identify:

- 1) all undertakings who have supplied the undertaking with an electrical and electronic equipment;
- 2) all undertakings to whom the undertaking has supplied an electrical and electronic equipment.

(2) For the purposes of this section, undertaking means the manufacturer, the authorised representative, the importer and the distributor.

(3) At the request of a competent surveillance authority or processor of the register of products of concern, an undertaking is required to submit the documents demonstrating compliance with the requirements provided for in § 27 of this Act concerning a product of concern.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹⁵. European Union declaration of conformity

(1) The European Union declaration of conformity certifies that the requirements for electrical and electronic equipment provided for in § 27 of this Act are met. If other legislation prescribes at least as stringent conformity assessment procedure as provided for in clause 2 of subsection 1 of § 26¹⁰ of this Act, the conformity to the requirements provided for in § 27 of this Act may be certified in the framework of this procedure and one technical document may be prepared.

(2) The European Union declaration of conformity contains the elements provided for in Annex VI to Directive 2011/65/EU of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 01.07.2011, p. 88–110), and it shall be updated as necessary and translated into the language or languages required by a Member State where the electrical and electronic equipment is placed on the market or made available.

(3) With the preparation of the European Union declaration of conformity, the manufacturer shall assume the responsibility that the electrical and electronic equipment meets the requirements provided for in this Act.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹⁶. General principles of CE marking and assumption of conformity

(1) The CE marking is a marking by which the manufacturer indicates that a product meets the requirements applicable on the basis of Regulation (EC) No 765/2008 of the European Parliament and of the Council concerning the affixing of the marking on the product.

(2) The CE marking is governed by the general principles set out in Article 33 of Regulation (EC) No 765/2008 of the European Parliament and of the Council.

(3) In the absence of evidence to the contrary, the electrical and electronic equipment bearing the CE marking is considered in conformity to the requirements provided for in § 27 of this Act.

(4) Any materials, components and electrical and electronic equipment, which have been tested and measured on conformity to the requirements provided for in § 27 of this Act or which have been assessed in accordance with the harmonised standards, which reference data are published in the Official Journal of the European Union, are considered in conformity to the requirements provided for in § 27 of this Act.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 26¹⁷. Export of used electrical and electronic equipment from Estonia

(1) A person who exports used electrical and electronic equipment from Estonia must ensure that a shipment comprising used electrical and electronic equipment meets the minimum requirements provided in Annex VI to Directive 2012/19/EU of the European Parliament and of the Council.

[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(2) If a shipment comprising used electrical and electronic equipment does not meet the minimum requirements provided for in Annex VI to Directive 2012/19/EU, the provisions of Chapter 9 of this Act shall apply to this shipment.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

§ 26¹⁸. General conditions for bringing into reuse of WEEE

(1) The Reuse Centre for the purposes of this Act is a person who makes the used electrical and electronic equipment available to persons who intend to use these for the original purpose of the equipment.

(2) The producer and the Reuse Centre must be convinced that there is market demand for the WEEE, which is sorted out as a whole appliance for the purposes of reuse.

(3) The WEEE, which does not completely meet the conditions provided for on the basis of subsection 6 of this section, but which has great potential for reuse, may be prepared for reuse.

(4) In repairing the equipment, there shall be used such spare parts, which enable the equipment to perform its initial duty and ensure its safety.

(5) The liability for the WEEE delivered for reuse shall transfer after the inspection of the equipment and recognising it suitable for reuse to the Reuse Centre.

(6) In order to avoid environmental or health hazards that may result from the WEEE delivered for reuse, the minister in charge of the policy sector shall establish by a regulation the requirements for delivery of the WEEE for reuse.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

§ 26¹⁹. Producer's obligations in bringing into reuse of WEEE

(1) To promote reuse, the producer shall ensure the separation of the reusable WEEE collected by types from other WEEE prior to their delivery for recovery, recycling or disposal.

(2) The producer shall, for the promotion of reuse, provide the Reuse Centre with an opportunity for accessing the WEEE collection facilities. For this purpose, the producer may enter into a cooperation agreement with the Reuse Centre, including for transportation of the WEEE and the pre-sorting of the WEEE at the collection facilities for the purposes of reuse.

(3) The producer shall deliver the WEEE suitable for reuse to the Reuse Centre free of charge.

(4) The producer shall take back free of charge the equipment, which is unsuitable for reuse and which the Reuse Centre is unable to sell or give away for free, including to donate.

(5) The producer must preserve the user manual for the electrical and electronic equipment for at least ten years after placing on the market of the electrical and electronic equipment.

(6) The producer shall ensure the free of charge availability of the user manual for the electrical and electronic equipment to the Reuse Centre and the equipment user.

(7) Subsections 1–4 of this section are applied to a person who receives for the waste holder the waste generated by the electrical and electronic equipment.

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

§ 26²⁰. Obligations of Reuse Centre in bringing into reuse of WEEE

(1) The Reuse Centre may take for reuse only such WEEE, which meets the requirements provided for on the basis of subsection 6 of § 26¹⁸ of this Act.

(2) The Reuse Centre shall ensure that with regard to the WEEE made available to other persons for the purposes of reuse the buyer or recipient thereof has been provided with the information that the equipment is an appliance taken for reuse.

(3) The Reuse Centre shall provide each appliance to be sold or donated with the sales warranty of at least six months.

(4) The Reuse Centre shall keep account of all the WEEE delivered to the Centre, all the preparation activities of the reuse of the WEEE and the sales and donation of the equipment prepared for reuse.

(5) Each WEEE shall be designated in such way that it is possible to track the movement of the equipment through the stages of the preparation activities of the reuse until the sales and donation of the equipment.

(6) The Reuse Centre shall submit to the register of products of concern the information of all the WEEE delivered to the Centre for preparation for the reuse during a calendar year, which have been sold or donated as used electronic equipment. The report need not be submitted if the producers' responsibility organisation and the Reuse Centre agree that the report is submitted by the producers' responsibility organisation.

(7) If the Reuse Centre itself organises the pre-sorting of the WEEE at the collection facilities and its transportation, the Centre shall hold an environmental protection permit for the collection, transport and recovery of the WEEE.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(8) If the Reuse Centre itself organises only the transport of WEEE or carries out the activities of preparing for reuse, the Centre shall hold a registration for the activities under clause 4 or 5 of subsection 2 of § 98⁷ of this Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 26²¹. Covering of costs incurred upon collection and return to producer of waste fishing gear containing plastic

(1) Producers of fishing gear containing plastic cover the costs of the separate collection of waste fishing gear containing plastic and the costs of its subsequent transport and treatment where such waste has been delivered to adequate port reception facilities or collection systems in accordance with Directive (EU) 2019/883 of the European Parliament and of the Council on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116–142).

(2) For the purposes of this section, waste fishing gear means fishing gear falling within the definition of waste provided in point 1 of Article 3 of Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3–30), including all separate components, substances or materials that were part of or attached to such fishing gear when it was discarded, including lost or abandoned.

(3) For the purposes of this section, port reception facilities mean port reception facilities falling within the definition provided in point (6) of Article 2 of Directive (EU) 2019/883.

[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 27. Prohibitions and restrictions on placing on market of products of concern within European Economic Area

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(1) Placing on the market of the following products of concern within the European Economic Area is prohibited:

1) [Repealed – RT I, 02.07.2019, 1 – entry into force 22.07.2019]

2) [repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

3) motor vehicles and parts thereof containing hexavalent chromium compounds, lead and its compounds, mercury and its compounds or cadmium and its compounds;

4) electrical and electronic equipment provided in clause 4 of subsection 3 and subsection 3¹ of § 25 of this Act containing hexavalent chromium, lead, mercury, cadmium, polybrominated diphenyl ethers, polybrominated biphenyls, bis(2-ethylhexyl) phthalate, butylbenzyl phthalate, dibutyl phthalate or diisobutyl phthalate, including cables and spare parts designed for the repair, reuse, upgrading of functions or increasing of capacity of the equipment.

[RT I, 02.07.2019, 1 – entry into force 22.07.2019]

(1¹) Exceptions may be made from the prohibition provided for in subsection 1 of this section provided that the possibility to make such an exception arises from the legislation of the European Union.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(1²) The prohibition specified in clause 4 of subsection 1 of this section does not apply to the following electrical and electronic equipment:

1) equipment designed to be sent into space;

2) equipment which is specifically designed, and is to be installed, as part of another type of equipment that is excluded or does not fall within the scope of this Act, which can fulfil its function only if it is part of that equipment, and which can be replaced only by the same specifically designed equipment;

3) large-scale stationary industrial tools;

4) large-scale fixed installations;

5) means of transport for persons or goods, excluding electric two-wheel vehicles which are not type-approved;

6) non-road mobile machinery made available exclusively for professional use;

7) active implantable medical devices;

8) photovoltaic panels intended to be used in a system that is designed, assembled and installed by professionals for permanent use at a defined location to produce energy from solar light for public, commercial, industrial and residential applications;

9) equipment specifically designed solely for the purposes of research and development only made available on a business-to-business basis;

[RT I, 04.01.2013, 12 – entry into force 22.07.2019]

10) equipment which is necessary for the protection of the essential interests of the security of Member States, including arms, munitions and war material intended for specifically military purposes;

[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

11) pipe organs.

[RT I, 02.07.2019, 1 – entry into force 22.07.2019]

(2) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(3) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(4) The Government of the Republic or a minister authorised thereby has the right to issue regulations establishing the following as regards certain products of concern or parts thereof:

- 1) maximum concentration values for dangerous substances up to which the content of dangerous substances is not subject to the prohibition specified in subsection 1 of this section;
- 2) areas of application, technical conditions or requirements upon application of which the prohibition specified in subsection 1 of this section does not apply;
- 3) time limits for full or partial implementation of the prohibition specified in subsection 1 of this section.

(5) [Repealed – RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(6) In this section, the following terms are used:

- 1) large-scale stationary industrial tools mean a large-scale assembly of machines, equipment or components, functioning together for a specific application, permanently installed and de-installed by professionals at a given place, and used and maintained by professionals in an industrial manufacturing facility or research and development facility;
- 2) large-scale fixed installation means a large-scale combination of several types of apparatuses and, where applicable, other devices, which are assembled and installed by professionals, intended to be used permanently in a pre-defined and dedicated location, and de-installed by professionals;
- 3) active implantable medical device means an active implantable medical device within the meaning of Articles 2(4) and 2(5) of Regulation (EU) 2017/745 of the European Parliament and of the Council; [RT I, 17.05.2020, 1 – entry into force 26.05.2021]
- 4) non-road mobile machinery made available exclusively for professional use means machinery driven by an on-board power source or external power source, the operation of which requires either mobility or continuous or semi-continuous movement between a number of fixed working locations while working, and is made available exclusively for professional use;
- 5) cables mean all cables and wires with a rated voltage of less than 250 volts that serve as a connection or an extension to connect electrical and electronic equipment to the electrical outlet or to connect two or more electrical and electronic equipment to each other;
- 6) spare part means an individual part of electrical and electronic equipment that can replace a necessary part designed to operate the electrical and electronic equipment in order to restore or improve the functionality of the electrical and electronic equipment.

[RT I, 02.07.2019, 1 – entry into force 12.07.2019]

§ 27¹. Implementation of prohibition on use of equipment containing polychlorinated biphenyls and polychlorinated terphenyls

(1) The holders of functioning equipment containing polychlorinated biphenyls and polychlorinated terphenyls (hereinafter jointly *PCB*) shall take the equipment out of use or decontaminate the equipment and eliminate the PCB contained therein as soon as possible, but no later than by 31 December 2010.

[RT I, 17.12.2010, 21 – entry into force 27.12.2010]

(1¹) The use of PCB-containing equipment is prohibited.

[RT I, 17.12.2010, 21 – entry into force 01.01.2011]

(2) Decontamination is an act, which provides an opportunity for the safe reuse, recycling or disposal of the equipment, objects, materials and liquids contaminated with the PCB, including the replacement of the PCB by a suitable liquid not containing the PCB.

(3) For the purposes of this Act, the PCB include polychlorinated biphenyls, polychlorinated terphenyls, monomethyl-tetrachlorodiphenyl methane, monomethyl-dichloro-diphenyl methane, monomethyl-dibromo-diphenyl methane or any preparation or mixture, which contains the aforementioned substances in total over more than 0.005% by weight.

[RT I, 2010.44, 260 – entry into force 19.07.2010]

§ 27². Avoidance of major accidents and notification thereof

(1) This section applies to a category A extractive waste facility determined on the basis of subsection 5 of § 35² of this Act, which is neither a dangerous enterprise nor an enterprise liable to be affected by major accident for the purposes of the Chemicals Act.

(2) Major accident for the purposes of this Act is an incident occurring in the course of handling extractive waste in the place of business, which poses immediately or over time a serious threat to the human health or the environment manifested in the place of business or elsewhere.

(3) In the design, construction, use, maintenance, closure and aftercare of an extractive waste facility liable to be affected by major accident, there shall be taken the necessary measures to avoid such accidents and limit their adverse effects on the human health or the environment, including transboundary effects.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 27³. General requirements for avoidance of major accidents and notification thereof

(1) Prior to starting the activities, the operator of an extractive waste facility specified in subsection 1 of § 272 of this Act shall prepare the principles of avoidance of major accidents in handling the extractive waste and enforce for the implementation thereof the safety management system and the internal emergency plan of the extractive waste facility, which specifies the measures taken on the territory of the installation in case of an accident. The operator shall appoint a safety manager who is responsible for implementing the principles of avoidance of major accidents and regular supervision.

(2) The Rescue Board prepares an external emergency plan for an extractive waste facility of Category A where mining waste is stored, specifying the measures to be taken outside the territory of the installation in the event of an accident.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(3) In the preparation of an external emergency plan, the requirements established by the Administrative Procedure Act with regard to open proceedings shall be observed.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 27⁴. Objectives of emergency plan

The emergency plan has the following objectives:

1) to restrain and control major accidents and other accidents in such way that their impact would be minimum and primarily to limit the damage caused to the human health and the environment;

2) to implement measures which are necessary for the protection of the human health and the environment from the impact of major accidents and other accidents;

3) to submit the necessary information to the relevant authorities, services and the public in the area. The public for the purposes of this Act is one or several natural or legal persons and, pursuant to the legislation or practices, the associations, organisations or groups of such persons;

4) to plan the cleaning, upkeep and restoration of the environment after a major accident.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 27⁵. Principles of avoidance of major accidents and safety management system

(1) The operator's principles of avoidance of major accidents and safety management system shall correspond to the amount of major accidents hazard arising from the extractive waste facility. The principles of avoidance of major accidents shall contain the operator's general objectives and principles of action with respect to the control of risk of major accidents. The safety management system shall include the part of the general management system which comprises the organisational structure, responsibilities, practices, procedures, processes and resources related to determining and implementing the principles of avoidance of major accidents.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(2) The safety management system must address the following issues:

1) organisation and employees – duties and obligations of employees related to the management of risk of major accidents on all organisational levels, ascertaining the training needs of such employees and offering the relevant training; inclusion of employees and subcontractors, if necessary;

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

2) identification and evaluation of serious threats – adoption and implementation of procedures for systematic identification of serious threats arising from normal and abnormal operation and the assessment of the likelihood and severity of such threats;

3) operational control – establishment and implementation of procedures and guidelines pertaining to safe operation, including the maintenance of an extractive waste facility, the maintenance processes, equipment and temporary interruptions in the maintenance;

4) management of change – establishment and implementation of procedures pertaining to changes in extractive waste facilities or planning of new extractive waste facilities;

5) preparation of plans for emergencies – establishment and implementation of procedures for ascertaining of emergencies through systematic analysis and preparation, testing and review of emergency plans;

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

6) monitoring of activities – establishment and implementation of procedure for the constant assessment of the performance of the objectives of the principles of avoidance of major accidents and the safety management system, and means for taking investigative and corrective measures in case these objectives are not observed. The procedure shall comprise a procedure, which the operator uses for notification of a major accident and narrowly avoided accidents, especially if the protective measures had any deficiencies, and the investigation of these deficiencies and the follow-up measures taken on the basis of the drawn conclusions;

7) inspection and review – establishment and implementation of procedure for regular systematic evaluation of the performance and suitability of the principles of avoidance of major accidents and the safety management system. The management shall monitor whether the principles and the safety management system are functioning, and these shall be documented and updated.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 27⁶. Information to be transmitted in connection with avoidance of major accidents

(1) The information on the safety measures and, in case of accident, the obligatory behaviour shall be transmitted to the public concerned, and it shall contain at least the following data:

- 1) name of the operator and address of the extractive waste facility;
- 2) position of the person giving the information;
- 3) confirmation that effective requirements are applicable to the extractive waste facility and the issuer of the permit, if necessary, has been submitted the needed information for ensuring and verification of compliance with these requirements;
- 4) clear and simple explanation of the activities carried out at the facility;
- 5) conventional or generic names of the substances and preparations located at the extractive waste facility and of the waste involving major accident risks or generic hazard classification with a list of the principal hazardous characteristics;
- 6) general information relating to the nature of the major accident hazards, including their potential impact on the population and the environment in the surrounding area;
- 7) sufficient information on how the population in the surrounding area will be warned and how they will be kept knowledgeable of the developments in case of a major accident;
- 8) sufficient information on how the population should act in case of a major accident;
- 9) confirmation that the operator shall take sufficient measures on their territory primarily in cooperation with the emergency services in order to cope with major accidents and minimise their impact;
- 10) reference to an emergency plan outside the extractive waste facility, which was prepared in order to minimise the potential impact of an accident outside the extractive waste facility. It shall include advice to follow in case of an accident all the guidelines and requirements of the emergency services;
- 11) where to obtain additional information.

(2) The information specified in subsection 1 of this section shall be submitted to the public concerned free of charge and continuously. The information shall be reviewed and updated, if necessary, at least once every three years.

(3) The public concerned for the purposes of this Act is the public who is affected or may be affected by decision-making concerning extractive waste facilities of category A in granting of a waste permit or activity licence, or the public whose interests it involves. It is taken into account that non-governmental organisations promoting the environment protection also have such interest.

(4) In case of a major accident, the operator shall promptly submit to the Rescue Board all the necessary information to help minimise the negative impact of the accident on the human health and to evaluate and minimise the scope of actual or potential environmental damage.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) If an accident may have transboundary effects, the Rescue Board shall submit through the Ministry of the Interior the specified information to the competent authorities of the state, which may be affected by the accident.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

Subchapter 3 General Requirements for Waste Management

§ 28. Certified waste handling

(1) A waste holder is required to handle the waste in the possession thereof according to the established requirements or transfer the waste for handling to a person holding the corresponding right.

(1¹) Waste holders must have adequate information concerning the types, quantities and origin of the waste in their possession, concerning its properties relevant in terms of waste handling and concerning the hazards resulting from the waste to health, the environment or property.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) A person transferring waste must, under the circumstances, be convinced that the transferee holds the environmental protection permit granting the right to handle the waste transferred.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(3) If waste is transferred for handling not requiring an environmental protection permit, the person transferring the waste must, under the circumstances, be convinced that the transferee is competent to handle the waste and has the relevant technical and environmental protection equipment.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(4) The liability of a waste holder for handling the waste shall terminate or transfer when a new waste holder has an environmental protection permit for handling the respective waste.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(5) If a waste holder delivers the waste for waste handling to a person not holding the corresponding right, the waste holder shall be liable for the waste handling.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(6) Upon transportation of the waste, the liability for the waste handling shall not transfer to the waste carrier unless the carrier is a waste holder.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

(7) Waste may be stored for up to three years before recovery and for one year before disposal.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 28¹. Prohibition of waste incineration

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) It is prohibited to incinerate waste on board ships.

(2) It is prohibited to incinerate waste which has been separately collected for preparing for re-use and recycling pursuant to subsections 3 and 4 of § 31 of this Act, with the exception of waste resulting from subsequent treatment operations of the separately collected waste for which incineration delivers the best environmental outcome in accordance with subsection 1 of § 22¹.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 29. Environmental impact of waste management and best available techniques

(1) The processes or methods used in waste management shall not endanger health, property or the environment. In waste management, all the necessary measures shall be implemented to avoid or reduce as much as possible the environmental nuisances caused by waste for the purposes of § 18 of this Act and the harmful impact of the waste on the environment, including landscapes and sites of special interest, and the human health.
[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(2) In waste management, environmental nuisances shall be avoided or, if this is not possible, reduced unless this involves excessive costs.

(3) In waste management, the best available techniques as determined in § 8 of the Industrial Emissions Act shall be used.
[RT I, 16.05.2013, 1 – entry into force 01.06.2013]

(3¹) In waste management, hazardous substances and objects must be removed from resulting waste in order to facilitate recovery and treatment of waste if this delivers the best environmental outcome in accordance with subsection 1 of § 22¹ of this Act.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4) The minister in charge of the policy sector has the right to issue regulations to implement the provisions of subsections 1–3¹ of this section and establish handling requirements for:

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

1) [repealed – RT I, 09.11.2011, 1 – entry into force 10.11.2011]

2) waste containing persistent organic pollutants;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

3) waste containing asbestos;

4) waste generated in the production of titanium oxide;

5) biodegradable waste;

6) waste electrical and electronic equipment (WEEE);

7) end-of-life vehicles;

8) [repealed – RT I, 03.12.2025, 1 – entry into force 13.12.2025]

9) construction and demolition waste;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

10) waste tyres;

11) packaging waste;

12) wastes from human or animal health care;

13) municipal waste;

14) metal waste;

15) waste from thermal processing (including pyrolysis) of oil shale;

15¹) extractive waste;

[RT I 2010, 44, 260 – entry into force 19.07.2010]

16) sewage sludge.

- 17) [repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]
18) waste used for filling the workings or recoverable waste otherwise placed in the environment;
[RT I, 09.11.2011, 1 – entry into force 10.11.2011]
19) waste oil;
[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(4¹) In handling waste containing persistent organic pollutants, account shall be taken, *inter alia*, of the provisions regulating waste handling included in Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45–77).
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4²) Waste containing mercury shall be handled, *inter alia*, pursuant to Regulation (EU) 2017/852 of the European Parliament and of the Council on mercury, and repealing Regulation (EC) No 1102/2008 (OJ L 137, 24.5.2017, p. 1–21).
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(5) [Repealed – RT I, 23.03.2015, 6 – entry into force 01.07.2015]

§ 29¹. Removing of material upon demolition of buildings

Upon demolition of buildings, materials containing hazardous substances and materials suitable for re-use or recycling must be collected separately to the highest possible extent.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 30. Principles of waste recovery

(1) Waste shall be recovered if this is technologically possible and does not involve excessive costs compared to other methods of waste handling.

(2) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(3) Waste that cannot be recovered in accordance with the requirements of this Act must be disposed of in adherence to the health and environmental safety requirements.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 31. Bases for organising separate collection of waste

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Local governments shall organise separate collection of waste to enable preparing them from re-use, recycling or other recovery to the highest possible extent.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1¹) The purpose of the separate collection of waste organised pursuant to subsection 1 of this section is, among other things, compliance with the recycling targets for municipal waste specified in subsections 1 and 2 of § 136³ of this Act and the separate collection targets for municipal waste specified in subsection 5 of the same section.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) Local governments shall organise separate collection of at least paper, paperboard, metal, plastic, textile and glass waste and hazardous waste produced by households.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3¹) Paper and cardboard packaging waste is collected together with paper and cardboard waste.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(4) Local governments shall organise separate collection of bio-waste at source unless it can be recycled at source. Waste with similar biodegradability and compostability properties which complies with relevant European standards or any equivalent national standards for packaging recoverable through composting and biodegradation may be allowed to be collected at source together with bio-waste.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4¹) In order to recycle bio-waste at source and obtain exemption from separate collection of bio-waste at source in accordance with subsection 4 of this section, the waste holder must submit an application to the local authority.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(4²) The local authority must be convinced that bio-waste can be recycled at source.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(4³) Where the local authority consents to the recycling of bio-waste at source and exempts the applicant from separate collection of bio-waste at source, the local authority registers the recycling of bio-waste at source in the local authority's register of waste holders specified in § 71¹ of this Act on the basis of an application pursuant to subsection 4¹ of this section. In the case of legal persons, the annual quantity of bio-waste recycled at source must also be recorded in the register of waste holders.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(4⁴) Upon termination of recycling of bio-waste at source, the waste holder notifies the local authority thereof and then bio-waste is collected separately at source in accordance with subsection 4 of this section.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(5) [Repealed – RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(6) A local authority may prescribe in the waste management plan and waste management rules a derogation from the separate collection specified in subsections 3 and 4 of this section and in § 15 of the Packaging Act if at least one of the following conditions is met:

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

- 1) collecting certain types of waste together does not affect their potential to undergo preparing for re-use, recycling or other recovery operations and results in output from those operations which is of comparable quality to that achieved through separate collection;
- 2) separate collection does not deliver the best environmental outcome when considering the overall environmental impacts of the management of the relevant waste streams;
- 3) separate collection is not technically feasible taking into consideration good practices in waste collection;
- 4) separate collection would entail disproportionate economic costs taking into account the costs of adverse environmental and health impacts of mixed municipal waste collection and treatment, the potential for efficiency improvements in waste collection and treatment, revenues from sales of secondary raw materials as well as the application of the polluter-pays principle and extended producer responsibility.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(7) Separate collection of municipal waste is carried out in accordance with the requirements and rules established on the basis of subsection 5 of § 36 of this Act, based on regional characteristics, such as the expected waste quantities, the specific characteristics of the built-up area, population density and the specific characteristics of the road and street network.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(8) When organising the separate collection of municipal waste, it must be ensured that it is as convenient, motivating and cost-effective as possible to the waste holder compared to the transfer of mixed municipal waste or misclassified waste.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 32. Principle of proximity in waste handling

Waste shall be disposed of and mixed municipal waste shall be recovered at a technologically suitable waste management facility where the health of persons and the safety of the environment is granted and which is located as close as possible to the site where waste was generated.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 33. Requirements for waste management facilities

(1) In order to ensure that waste management facilities are safe for health and the environment during waste handling and thereafter, the following requirements shall be established by a regulation of the minister in charge of the policy sector:

- 1) requirements for establishment, operation and closure of landfills;
- 2) [repealed – RT I, 16.05.2013, 1 – entry into force 01.06.2013]
- 3) [repealed – RT I, 16.05.2013, 1 – entry into force 01.06.2013]

(2) In order to ensure the safety of waste management facilities, the minister in charge of the policy sector has the right to establish, by a regulation specified in subsection 1 of this section:

- 1) technical norms, values for technical parameters, and other requirements for operation;
- 2) [repealed – RT I, 16.05.2013, 1 – entry into force 01.06.2013]
- 3) [repealed – RT I, 16.05.2013, 1 – entry into force 01.06.2013]
- 4) requirements for environmental monitoring at waste management facilities and the surroundings thereof before commencement of operation, in the course thereof and after termination of operation of the facility;

5) duration of environmental monitoring during aftercare of waste management facilities.

§ 33¹. Requirements for construction, operation and closure of extractive waste facility

(1) The operator of an extractive waste facility shall ensure the following:

- 1) choice of suitable location for an extractive waste facility, primarily taking into consideration the positions of the protected natural objects and geological, hydrological, hydrogeological, seismic and geotechnical factors;
- 2) to design an extractive waste facility in such way that the conditions necessary for avoidance of soil, air, groundwater and surface water pollution are complied with;
- 3) efficient collection and cleaning of leachate at the time and in the manner provided for in a permit;
- 4) reduction of water and wind erosion to an extent that is technically possible and economically viable;
- 5) construction, management and maintenance of an extractive waste facility in such way as to ensure the physical stability of an extractive waste facility and avoid soil, air, groundwater and surface water pollution and contamination, and minimise as much as possible the damaging of landscape;
- 6) preparation of plans and giving instructions so that competent persons would be able to periodically inspect an extractive waste facility, perform monitoring and take measures in case the results indicate instability or water or soil contamination;
- 7) giving instructions for restoring the earth surface and closure of an extractive waste facility;
- 8) giving instructions for aftercare of an extractive waste facility.

(1¹) A competent person for the purposes of this Act is a natural person who has the technical knowledge and experience required for the performance of the assignments arising from this Act.
[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(2) If a pond contains cyanide, the operator shall ensure that the concentration of weak acid dissociable cyanide is reduced there using the best available technology to the lowest possible level.

(3) The closure of an extractive waste facility shall be commenced only if the requirements established in a waste permit are met and the issuer of waste permits has granted consent for closure.

(4) An extractive waste facility shall be considered completed closed only after the issuer of waste permits has organised the on-site inspection of the extractive waste facility, assessed the reports submitted by the operator, warranted that an area affected by the extractive waste facility has been restored, and notified the operator of the consent for closure of the extractive waste facility.

(5) After the closure of an extractive waste facility, the operator shall, *inter alia*, verify the physical and chemical stability of the extractive waste facility and minimise the adverse impact on the environment, primarily on surface water and groundwater, ensuring the following:

- 1) supervision and protection of all parts of the extractive waste facility, and permanent serviceability of the instrumentation;
- 2) keeping the overflow channels and spillways clean and free.

(6) The operator shall be liable for the maintenance, monitoring and inspection of an extractive waste facility and for the measures improving an extractive waste facility in the aftercare until the issuer of waste permits or integrated permits requires it, taking into consideration the type and duration of hazard. The required measures and the time of their implementation shall be determined in a waste permit granted for the operation of an extractive waste facility.

(7) In case of change of the operator of an extractive waste facility, all the operators of the time of functioning and aftercare of an extractive waste shall be solidarily liable for any damage caused by negative environmental impact arising from the waste stored at the extractive waste facility.

(8) The minister in charge of the policy sector shall establish by a regulation the list of specific requirements for construction, use, monitoring, closure and aftercare of an extractive waste facility.
[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 33². Inventory-taking of closed extractive waste facilities

The minister in charge of the policy sector shall prepare an inventory list with regard to closed extractive waste facilities, including ownerless extractive waste facility, which cause serious adverse impact on the environment or may, within medium or short time, become a serious threat for the human health or the environment. The inventory list shall be updated on a regular basis.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

§ 34. Landfills

(1) Landfill means a waste management facility for the deposit of waste onto or into land, including waste management facilities where a waste producer deposits waste at its place of production (internal waste disposal sites) and waste management facilities which are permanently used for storage of waste for longer than one year. [RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) The waste deposit sites specified in subsection 1 of this section are considered landfills until completion of their aftercare.

(3) The following are not deemed to be landfills:

- 1) facilities where waste is unloaded in order to permit its preparation for further transport for treatment, recovery or disposal elsewhere;
- 2) facilities where waste is stored prior to treatment or recovery if all the waste stored at the facility is treated or recovered within three years after being stored;
- 3) facilities where waste is stored prior to disposal if all the waste stored at the facility is disposed of within one year after being stored.

(4) Depending on the properties of the waste deposited, landfills are classified as:

- 1) landfills for hazardous waste;
- 2) landfills for non-hazardous waste;
- 3) landfills for inert waste.

§ 34¹. Landfill costs

(1) The fee charged by a landfill operator for the depositing of any waste in the landfill must cover the expenses of the construction, operation and closure of the landfill and, to the extent possible, the expenses of the financial security or insurance specified in clause 4 of subsection 1 of § 91 of this Act and the provisional expenses of the landfill aftercare for a period of at least 30 years.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2) For the implementation of the principle of covering the landfill expenses specified in subsection 1 of this section and the requirements on the freedom of access to information on the environment, a landfill operator shall keep accounting of the landfill expenses and disclose the division of the fee charged for the deposit of waste in the landfill by cost categories upon corresponding request.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 35. Prohibition to deposit untreated and separately collected waste in landfill

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) It is prohibited to deposit such waste in landfills which:

- 1) has not undergone treatment specified in § 16 of this Act;
- 2) has been collected separately in accordance with subsections 3 and 4 of § 31 of this Act for preparing for re-use and recycling, with the exception of waste resulting from subsequent treatment of separately collected waste if depositing of the waste in a landfill delivers the best environmental outcome in accordance with subsection 1 of § 22¹ of this Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) The obligation to treat waste before deposit does not extend to waste the treatment of which does not reduce the quantity of waste or the hazard arising from the waste to human health or the environment, and to such inert waste the treatment of which is technically not viable.

§ 35¹. Prohibition on deposit of used tyres in landfills

(1) The deposit of used tyres in landfills is prohibited, except for shredded tyres used as construction material in the landfills.

(2) The prohibition provided for in subsection 1 of this section does not apply to bicycle tyres and tyres with an outside diameter above 1400 mm.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 35². Extractive waste facility

(1) Extractive waste facility means any construction works or area designated for the accumulation or storage of extractive waste, whether in a solid or liquid state, in solution or suspension, for the following time-periods:

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

- 1) no specified time-period for Category A extractive waste facilities and facilities for waste characterised as hazardous in the extractive waste management plan specified in § 42¹ of this Act;
- 2) a period of more than six months for facilities for hazardous waste generated unexpectedly;
- 3) a period of more than one year for facilities for non-hazardous waste, which is not inert waste;

4) a period of more than three years for facilities of unpolluted soil, non-hazardous prospecting waste, waste resulting from the extraction, treatment and storage of peat and inert waste.

(2) The extractive waste facilities specified in subsection 1 of this section are deemed to include any dams or other structures serving to contain, retain, confine or otherwise support such facilities. Such extractive waste facilities also include heaps, ponds or other structures, but excluding excavation voids into which waste is replaced, after extraction of the mineral, for rehabilitation and construction purposes;

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(2¹) A dam for the purposes of this Act means an engineered structure designed to retain or confine water or waste within a pond.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(2²) A heap for the purposes of this Act means an engineered facility for the deposit of solid waste on the surface.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(2³) A pond for the purposes of this Act means a natural or engineered facility, for disposing of fine-grained waste, normally tailings, along with varying amounts of free water, resulting from the treatment of mineral resources and from the clearing and recycling of process water.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(3) The construction works or the area specified in subsection 1 of this section shall be an extractive waste facility until completion of their aftercare.

(4) Extractive waste facilities are classified as Category A or Category B extractive waste facilities based on their harmfulness.

(5) Category A is assigned to an extractive waste facility if one or more of the following circumstances exist:
1) an analysis which takes account of the current or future size, location and environmental impact of the extractive waste facility indicates that a failure, e.g. collapse of a heap or breaking of a dam, or incorrect operation may cause a major accident;

2) the waste classified as hazardous waste in accordance with the regulation established on the basis of subsection 5 of § 2 of this Act in the extractive waste facility exceeds a certain limit;

[RT I, 03.12.2015, 1 – entry into force 01.01.2016]

3) the substances or preparations classified in accordance with the Chemicals Act as hazardous substances or preparations in the extractive waste facility exceed a certain limit.

(6) Category B is assigned to an extractive waste facility which does not correspond to the circumstances specified in subsection 5 of this section.

(7) The assignment of category A or B to an extractive waste facility shall be decided by the issuer of waste permits upon granting a permit for operation of the extractive waste facility.

§ 35³. Financial security necessary for operation of extractive waste facility

(1) The operator of an extractive waste facility shall have the sufficient financial security for the performance of the obligations in the use, closure and aftercare of an extractive waste facility (hereinafter *security*). The security shall always be readily available for the restoration of an area affected by the extractive waste facility pursuant to a permit for operation of an extractive waste facility and the extractive waste management plan specified in § 42¹ of this Act.

(2) The security shall be calculated pursuant to the likely environmental impact of an extractive waste facility, taking into consideration the category of an extractive waste facility, the waste characteristics and the future use of the restored area, and other important facts. The issuer of waste permits shall calculate the amount of security for operation of an extractive waste facility.

(3) The calculation of the security shall be based on the assumption that independent third parties with sufficient qualifications shall provide an assessment of the necessary restoration work and perform the restoration work.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(4) The availability of the security shall be certified by a guarantee of an Estonian or international credit or financial institution previously accepted by the issuer of permits. The credit rating of the credit or financial institution shall be at least A3 (Moody's) or A (Standard and Poor's) and in this respect the credit rating shall not be reduced within the last three months. The security shall be effective at least until the end of the aftercare of an extractive waste facility.

(5) At the time of provision of security, the value of the security shall constitute at least 115 per cent of the provisional amount of the restoration expenses of an area affected by the extractive waste facility. If the issuer of permits determines that there is no longer an assurance that the security ensures the payment of the expenses, the issuer shall have the right to request an increase of the security or replacement of the initial security by a new security.

(6) In determination of the provisional amount of the restoration expenses of an area affected by the extractive waste facility, the expert opinion of independent third parties with sufficient qualifications shall be followed.

(7) The amount of the security shall be amended on a regular basis pursuant to the restoration work which needs to be carried out on an area affected by the extractive waste facility pursuant to the extractive waste management plan and the waste permit issued for the operation of the extractive waste facility.

(8) If the issuer of permits approves the closure of an extractive waste facility, the issuer shall give the operator a written certificate which releases the operator from the obligation to provide the security, excluding the obligations following the closure.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 36. Sorting of mixed municipal waste in course of treatment of waste before deposit

(1) In order to allow the recovery of municipal waste to the highest possible extent, mixed municipal waste shall be sorted before it is deposited in landfills.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) It is prohibited to deposit unsorted mixed municipal waste in landfills.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(3) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4) If the additional treatment of waste to be deposited reduces the quantity of the waste or the hazard arising from the waste to human health or the environment or facilitates the handling thereof, sorted municipal waste shall be additionally treated before deposit.

(5) The requirements and procedure for separate collection and sorting of municipal waste and the bases of classification of sorted waste shall be established by a regulation of the minister in charge of the policy sector.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 37. Incineration plant and co-incineration plant

[Repealed – RT I, 16.05.2013, 1 – entry into force 01.06.2013]

§ 38. General requirements for transport of waste

Waste shall be transported in enclosed means of transport in packages or in any other appropriate manner which prevents release of waste into the environment in the course of loading or transport.

Chapter 2 Waste Management Planning

Subchapter 1 General Provisions for Waste Management Planning and Waste Management Plans

§ 39. Development of waste management

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(1) Waste management shall be developed on the basis of the sectoral development plan and the local government waste management plan.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(2) The sectoral development plan and the local government waste management plan shall examine the situation of waste management in the territory covered by the plan, the objectives for the organisation and enhancement of waste management and measures to achieve the objectives.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3¹) The sectoral development plan shall contain the following:

1) quantities of generated waste by types and origin, data about waste imported to the territory of the country or exported from the territory of the country and evaluation of waste streams in the future;

2) description of the existing waste collection schemes and handling infrastructure, overview of major disposal and recovery facilities, including evaluation of the need to establish new and close existing facilities, and evaluation of connected investments, including investments directed at local governments and other financial means;

2¹) adequate information on location criteria to identify the place of business and, where appropriate, the capacity of future disposal facilities or main recovery facilities;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

3) overview of handling hazardous waste, waste oil, waste containing significant amounts of critical raw materials and other such waste streams which are subject to a separate procedure at the European Union level;

4) evaluation of the need to create new collection schemes, taking into account the material and territorial coverage of separate collection and derogations granted and measures taken in order to improve separate collection;

5) description of general waste handling policies, including overview of planned waste handling technologies or policies with regard to the waste for the handling of which it is necessary to take special measures;

6) overview of the obligations of organisations related to waste handling, including description of the distribution of liability and investments between persons in public and private law engaged in waste handling;

7) overview of organisation of information campaigns targeted at the public or a specific group of consumers;

8) information concerning the waste management facilities contaminated in the past and measures taken for the maintenance thereof;

9) description of the environmental impact resulting from the implementation of the sectoral development plan;

10) plan to reduce the depositing of waste suitable for recycling or other recovery, in particular municipal waste and biodegradable waste, and measures taken to limit depositing;

11) plan for handling packaging and packaging waste;

12) appropriate qualitative or quantitative indicators and targets, including concerning the quantity of generated waste and its treatment and concerning municipal waste that is disposed of or subject to energy recovery;

13) measures for preventing, reducing and cleaning up litter, including marine litter.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3²) In addition to the provisions of subsection 3¹ of this section, the sectoral development plan shall contain a waste prevention plan, including the following:

1) description of the existing measures to prevent waste generation and evaluation of their efficiency;

2) objectives of preventing waste generation and measures for their implementation, including requirements for prevention of waste generation provided in subsection 2 of § 21 of this Act;

3) qualitative and quantitative indicators for evaluating implementation of the measures specified in clauses 1 and 2 of this subsection;

4) specific food waste prevention programme.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3³) The plan specified in subsection 3² of this section shall describe the contribution of the instruments and measures listed in Annex IVa of Directive 2008/98/EC of the European Parliament and of the Council to prevention of waste generation and the examples of measures provided in Annex IV of the same Directive shall be taken into account upon evaluating and implementing the measures specified in clauses 1 and 2 of subsection 3² of this section.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3⁴) The sectoral development plan shall be renewed at least once every six years as of its preparation or renewal.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4) The operator of an extractive waste facility, the holder of a permit for geological exploration or extraction permit whose activities generate waste or, if the waste is generated in the course of treatment of mineral resources, the person treating the mineral resources shall prepare an extractive waste management plan specified in § 42¹ of this Act for minimising, processing, recovery and disposal of extractive waste, taking into consideration the principle of sustainable development.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 40. National waste management plan

[Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014]

§ 40¹. Programme for prevention of waste generation

[Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014]

§ 41. [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 42. Local government waste management plan

(1) A local authority waste management plan is established by a legal instrument of a municipal council. A waste management plan is part of a municipal development plan and deals with the development of waste management in a rural municipality or city. A waste management plan may be prepared for several local authorities.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1¹) When preparing a waste management plan, the provisions of the sectoral development plan are taken into account. When preparing and implementing a waste management plan, a local authority must take into account that all the activities and measures planned in the waste management plan are aimed at compliance with the obligation to attain the separate collection target for municipal waste.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) A local government waste management plan shall contain the following:

- 1) quantities of generated waste by types and origin and evaluation of waste streams in the future;
- 2) development of waste transport organised by a local government within the administrative territory thereof, including designation of the area or areas covered by the organised waste transport;
- 3) the activities necessary for the achievement of the separate collection target for municipal waste on an annual basis and, where appropriate, the derogations granted on the basis of subsection 6 of § 31 of this Act;
- 4) analysis proving the alleged circumstances for release and the presence of these grounds if a derogation is prescribed on the basis of subsection 6 of § 31 of this Act for releasing from separate collection of certain waste;
- 5) description of the existing waste collection schemes and handling infrastructure;
- 6) an assessment of the need to create new or amend existing collection systems, taking into account the need to grant derogations on the basis of subsection 6 of § 31 of this Act and the principles provided in subsections 7 and 8 of the same section;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

7) the financing of waste management and the collection of the waste transport service fee, the purpose of its collection and the organisation of its settlement;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

8) description of general waste handling policies;

9) overview of the obligations of organisations related to waste handling, including description of the liability between persons in public and private law engaged in waste handling;

10) overview of organisation of information campaigns targeted at the public or a specific group of consumers;

11) information concerning the waste management facilities contaminated in the past and measures taken for the maintenance thereof;

12) description of the environmental impact resulting from the implementation of the local government waste management plan;

13) a plan to reduce the incineration for the purpose of energy recovery and the depositing of municipal waste suitable for preparation for re-use, recycling or other recovery and biodegradable waste and the measures to be taken to limit incineration for the purpose of energy recovery and depositing;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

14) a plan for the collection and transport of packaging and packaging waste and their transfer to recovery organisations, including the establishment of a public collection system for packaging waste at points of sale;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

15) appropriate qualitative or quantitative indicators and targets, including concerning the quantity of generated waste and its treatment and concerning municipal waste that is disposed of or subject to energy recovery;

16) measures for preventing, reducing and cleaning up litter, including marine litter;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

17) a plan for the promotion of re-use and prevention of waste generation;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

18) a plan for co-operation with other local authorities for the implementation of the waste management plan.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 42¹. Extractive waste management plan

(1) An extractive waste management plan shall promote the recycling, reuse or recovery of extractive waste if it is environmentally friendly and takes into account the current requirements.

(2) An extractive waste management plan shall ensure safe disposal of extractive waste. In the preparation of an extractive waste management plan, at the design stage of an extractive waste facility, there shall be primarily taken into consideration the management of an extractive waste facility at the time of its operation and after its closure and there shall be chosen a project that meets the following requirements:

- 1) requiring minimal or, if possible, does not requiring at all the aftercare and supervision of a closed extractive waste facility;
- 2) preventing or at least minimising the long-term adverse impact which emanates e.g. from pollutants emitted by an extractive waste facility through air or water;

3) ensuring long-term geotechnical stability of dams or heaps rising above the existing ground level.

(3) An extractive waste management plan shall be submitted to the issuer of permits for approval if:

1) a waste permit is required for the operation of an extractive waste facility in accordance with clause 8 of subsection 2 of § 73 of this Act;

[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

2) waste is generated in the course of exploration or extraction – together with the application for a relevant permit, based on the requirements established by the Earth's Crust Act.

[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(4) The issuer of permits specified in subsection 3 of this section shall approve an extractive waste management plan meeting the requirements simultaneously with granting the permit. An extractive waste management plan shall constitute an integral part of a waste permit.

(5) The operator shall review an extractive waste management plan at least every five years and amend the plan if significant changes have occurred in the operation of the extractive waste facility or the deposited waste. The amended extractive waste management plan shall be submitted to the issuer of permits specified in subsection 3 of this section who shall approve it within five working days. The amendments shall be deemed to be effected as of the approval of the amended extractive waste management plan. A change in the structure or activities of an extractive waste facility, which in the opinion of the issuer of permits may materially damage the human health or the environment, shall be considered significant.

[RT I, 04.01.2013, 12 – entry into force 14.01.2013]

(6) The requirements which specify the contents of an extractive waste management plan, including the specific procedure for the submission, approval and review of the extractive waste management plan, shall be specified by a regulation of the minister in charge of the policy sector.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 43. Updating of local government waste management plan

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(1) Updating of a local government waste management plan means regular review of the waste management plans and making of amendments thereto, including the derogations specified in subsection 6 of § 31 of this Act. The provisions concerning the proceedings relating to preparation of a local government waste management plan apply to the updating of a local government waste management plan.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) [Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(3) [Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(4) [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

(5) A local government waste management plan together with the analysis specified in clause 4 of subsection 3 of § 42 of this Act is updated at least every five years.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(6) In addition to the provisions of subsection 5 of this section, a local government waste management plan is updated if necessary within one year after approval of the sectoral development plan or the local government development plan.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 44. Rights and obligations of the minister in charge of the policy sector and local governments in waste handling planning

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(1) The minister in charge of the policy sector shall co-ordinate the activities of the counties and local governments in preparation and implementation of local government waste management plans.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(2) [Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(3) Local governments may demand information from persons, agencies and producers' associations free of charge concerning their waste-related activities if this is necessary for preparation or updating of a local government waste management plan.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(4) A local authority may require persons, agencies and producers' associations operating within its administrative territory to prepare waste management plans complying with subsection 3¹ of § 39 of this Act at their own expense and submit them to the local authority if this is necessary for the preparation or updating of the local authority waste management plan.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(5) The minister in charge of the policy sector and local governments shall preserve the information collected in the course of preparation of the sectoral development plan and its implementing document, and a local government waste management plan pursuant to the procedure provided by law.
[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

Subchapter 2

Preparation of National Waste Management Plan

[Repealed -RT I, 13.03.2014, 2 - entry into force 23.03.2014]

§ 45.–§ 54.[Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014]

Subchapter 3

Preparation of Local Government Waste Management Plan

§ 55. Co-ordination of draft local government waste management plan

[Repealed – RT I, 17.03.2023, 3 – entry into force 01.04.2023]

§ 56. Public display of and public discussion concerning draft local government waste management plan

(1) A local government shall organise public display of a draft local government waste management plan and at least one public discussion for deliberations on the draft.
[RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) A notice of the time and place of public display of a draft local government waste management plan shall be published in a local newspaper at least two weeks before the public display. A draft local government waste management plan shall be placed on public display for at least two weeks.

(3) A notice of the time and place of a public discussion for deliberations on a draft local government waste management plan shall be published in a local newspaper at least two weeks before the public discussion.

(4) A public discussion need not be held if no proposals or objections are submitted during the public display.

§ 57. Submission of opinions during public display of or public discussion concerning draft local government waste management plan, and consideration of proposals and objections submitted

(1) Everyone has the right to submit proposals and objections concerning a draft local government waste management plan during the public display of the draft.

(2) Everyone has the right to submit his or her opinion on a draft waste management plan orally at the discussion for deliberations on the draft.

(3) The rural municipality or city government shall review the proposals and objections submitted during the public display of or a public discussion concerning a draft waste management plan and, if necessary, decide on amendment of the draft plan according to the proposals and objections submitted.

§ 58. Publication of results of public display of and public discussion concerning draft local government waste management plan

A rural municipality or city government shall publish the results of the public display of and the public discussion concerning a waste management plan in a local newspaper.

§ 59. Adoption of local government waste management plan

(1) A local government waste management plan shall be adopted by the local government council.

(2) A joint local government waste management plan enters into force after it has been adopted by all the local government councils co-operating for the plan.

§ 59¹. Publication of local government waste management plan

A local government waste management plan shall be published on the website of the local government.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

Chapter 3 Special Conditions for Handling Hazardous Waste

§ 60. Prohibition on mixing hazardous waste

(1) Mixing of hazardous waste with other types of hazardous waste, non-hazardous waste or any other substances or materials is not permitted, except in the case provided for in § 61 of this Act.
[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

(2) Waste which has already been mixed shall be separated if this is technically possible and if this is necessary for the prevention of potential health or environmental hazards.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) Waste which has been mixed ignoring the provisions of subsection 1 of this section shall be delivered to a person with a corresponding permit for handling.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 61. Mixing of hazardous waste

(1) Mixing of hazardous waste with other types of hazardous waste or with non-hazardous waste or any other substances or materials is permitted if the provisions of subsections 1 and 3 of § 29 of this Act are complied with in order to prevent or, if prevention is not possible, reduce the health or environmental hazards resulting from the waste.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) Hazardous waste shall not be mixed for the purpose of reclassification of hazardous waste into non-hazardous waste by way of diluting and thereby reducing the original content of hazardous waste below the limit value for classification as hazardous waste.
[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 62. Packaging and marking of hazardous waste

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) In the course of collection, storage and transport of hazardous waste, the waste shall be packaged in order to prevent the health and environmental hazards resulting from the waste and facilitate their recovery or disposal.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) A waste holder is required to label hazardous waste, except the hazardous waste produced by households, or their packaging before the waste is transferred to the waste handler.

(3) The procedure for labelling hazardous waste and packaging of hazardous waste shall be established by a regulation of the minister in charge of the policy sector.

§ 63. Transport of hazardous waste

Hazardous waste shall be transported pursuant to the procedure provided for in legislation concerning transport of dangerous goods and in international agreements.

§ 64. Consignment note for hazardous waste

[Repealed – RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 65. Organisation of hazardous waste management

(1) Development of a network of hazardous waste management facilities shall be organised by the minister in charge of the policy sector in accordance with the sectoral development plan.
[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(2) Local authorities organise the collection of hazardous waste produced by households within their administrative territory and its transfer to waste handlers, except in the case specified in subsection 1 of § 25¹ of this Act.

§ 65¹. Waste oils

(1) For the purposes of this Act, waste oils means mineral or synthetic lubricant or industrial oils, primarily oils used in internal combustion engines and gearbox oils, lubricating oils, oils for turbine and hydraulic oils, which is no longer suitable for the original intended use.

(2) Regeneration of waste oils means any recycling operation whereby base oils can be produced by refining waste oils, in particular by removing the contaminants, the oxidation products and the additives contained in such oils;

(3) If this is technically feasible, waste oils are collected separately.

(4) Types of waste oils of different characteristics shall not be mixed with each other or with other types of waste or substances if such mixing prevents their regeneration or other recycling operations.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(5) Upon recovery of waste oils, regeneration of waste oils or other recycling operations delivering an equivalent or a better overall environmental outcome than regeneration must be preferred, taking into account the provisions of subsection 2 of § 22¹ of this Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

Chapter 4 Waste Handling Organised by Local Governments

[RT I 2007, 19, 94 - entry into force 11.03.2007]

§ 66. Organised waste transport

(1) Organised waste transport means collection and transport of municipal waste from a designated area to a specific waste management facility or facilities by an undertaking chosen by way of a competition organised by the local government.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(1¹) [Repealed – RT I, 08.07.2014, 2 – entry into force 01.10.2014]

(2) A local authority organises within its administrative territory the collection and transport of municipal waste, in particular litter or mixed municipal waste, bio-waste and municipal packaging waste without deposit. Organised waste transport may also include other types of municipal waste or other waste if this is necessary for compliance with the requirements of this Act or if this is required due to a significant public interest.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(3) A local government may decide not to organise waste transport in low-density areas of its administrative territory where organised waste transport would be excessively costly due to the small number and disproportionate location of waste producers and the small quantities of waste, and organised waste transport is not necessary from the point of view health and environmental protection.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(4) The types of waste subject to organised waste transport, the transport areas, the frequency and time of transport and the procedure for determining the waste transport fees shall be established by a regulation of the rural municipality or city council.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(5) Waste transport fees shall be sufficient to cover the costs of establishment, operation, closure and aftercare of waste treatment facilities and the costs of waste transport and the costs related to preparation of transport.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(6) The waste transport service fee is determined on the basis of the type, volume or weight and characteristics of waste, the service frequency of waste transport and other circumstances which significantly affect the cost of handling.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(7) An undertaking who provides the service of transport of municipal waste in a local government with at least 40,000 residents is a provider of the services of general interest within the meaning of the General Part of the Economic Activities Code Act.

[RT I, 03.03.2017, 1 – entry into force 01.07.2017]

§ 66¹. Alternative organised waste transport

(1) A local authority may organise the waste transport specified in subsection 1 of § 66 of this Act such that the local authority is the sole customer of, and the payer of the fee to, the undertaking transporting waste and the local authority also has the obligation to keep records of and settle with waste holders.

(2) The rules for determining the amount of the service fee for alternative organised waste transport and its payment are established by the municipal council.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66². Service fee for alternative organised waste transport

(1) The service fee for alternative organised waste transport is the fee specified in subsection 5 of § 66 of this Act, which is divided into a fee paid to cover waste management costs and a service fee for the waste transport and handling service, except packaging waste handling, provided to a waste holder who has subscribed to organised waste transport.

(2) The fee paid to cover waste management costs is a fee paid for covering the costs incurred on the basis of subsection 4 of this section and used by the local authority for organising and developing waste management, including for attaining the separate collection and recovery targets.

(3) The service fee for the transport and handling of waste of a waste holder who has subscribed to organised waste transport is the price of the transport and handling of the waste transferred by the waste holder at source. The price list for the transport and handling of waste covered by organised waste transport is published on the official website of the local authority.

(4) The costs necessary for the organisation and development of waste management, including for the attainment of the targets for separate collection and recovery of waste, include:

- 1) costs related to collection containers and collection facilities;
- 2) the costs of transport of waste collected outside organised waste transport and the costs of preparation for such transport;
- 3) the costs of handling waste collected outside organised waste transport;
- 4) the costs of the establishment, operation, closure and after-care of waste management facilities, including the costs of preparation for the establishment of waste management facilities;
- 5) costs related to re-use solutions and prevention of waste generation;
- 6) the costs of data management, including maintenance of the register of waste holders and settlement with waste holders;
- 7) the costs of informing and advising on waste;
- 8) the costs of supervision over compliance with the requirements of the Waste Act;
- 9) other costs aimed at improving waste management or attaining the separate collection and recovery targets for waste.

(5) The costs necessary for the organisation and development of waste management, including for the attainment of the separate collection and recovery targets for waste, do not include:

- 1) the service fee for the waste transport and handling service provided to the waste holder who has subscribed to organised waste transport and the cost of the handling of the waste covered by the extended producer responsibility;
- 2) a non-compliance levy or fine imposed on the local authority by legislation;
- 3) expenses covered by the non-repayable support paid from the state to the local authority;
- 4) other costs which are not necessary for the development of waste management, including for the compliance with the obligations to attain the separate collection and recovery targets for waste.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66³. Obligation to pay service fee for alternative organised waste transport

(1) The waste transport service fee is paid by the waste holders who have subscribed to organised waste transport.

(2) A local authority may also apply the waste transport service fee in the part specified in subsection 2 of § 66² of this Act to waste holders exempted from subscribing to organised waste transport on the basis of subsections 2¹, 4 and 4¹ of § 69 according to the estimated volume of their use of the waste management service.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66⁴. Bases for calculation of amount of service fee for alternative organised waste transport and invoice data

(1) The provisions of subsections 5 and 6 of § 66 of this Act apply to the waste transport service fee. The waste transport service fee must be justified and in accordance with the costs of providing the service and be based on cost-effectiveness.

(2) The waste transport service fee consists of a fee paid for covering the waste management costs and a service fee for the waste transport and handling service provided to the waste holder who has subscribed to the service, except for the service fee for the handling of packaging waste.

(3) The share paid for covering the waste management costs is up to 50 per cent of the waste transport service fee, but not less than one euro per calendar month.

(4) The monthly waste transport service fee for a waste holder who is exempted from subscribing to organised waste transport on the basis of subsections 2¹, 4 and 4¹ of § 69 of this Act is a fixed amount which corresponds to the lowest fee paid for covering the waste management costs in the previous year by a waste holder of the same local authority who has subscribed to organised waste transport.

(5) An invoice with the information that is necessary for making a payment is submitted to waste holders and apartment association members to whom the organised waste transport service was provided, setting out separately:

- 1) the fee established on the basis of subsection 4 of § 66² of this Act;
- 2) the fee for transport services, including separately the fee for packaging transport services;
- 3) the fee for handling services;
- 4) the fee for additional services.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66⁵. General principles of use of service fee for alternative organised waste transport

(1) The waste transport service fee is used only for the organisation of waste management specified in subsection 1 of § 11 of this Act and for the attainment of the recovery targets for waste provided in subsections 1 and 2 of § 136³ and the separate collection target for waste provided in subsection 5 of § 136³ and the transfer of funds to other areas is prohibited. A local authority must ensure the separation of the costs of its areas of activity and this must be reflected in its accounting records for income, costs and assets.

(2) A local authority prepares an annual review of the determination and implementation of the waste transport service fee in the previous calendar year. The review includes data on:

- 1) the receipt of the waste transport service fee and its use by each of the cost components listed in subsections 3 and 4 of § 66² of this Act;
- 2) the costs of transporting packaging waste incurred by recovery organisations.

(3) A local authority publishes the review specified in subsection 2 of this section on its official website in the first quarter of each year.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66⁶. Collection of service fee for alternative organised waste transport

(1) Collection of the waste transport service fee is organised within the territory of a local authority by the rural municipality or city government.

(2) A local authority may organise the collection of the waste transport service fee through a form of co-operation with other local authorities provided in § 62 of the Local Government Organisation Act or on the basis of an administrative contract through a company, non-profit association or foundation established by and under the direct control of the local authority.

(3) A local authority may also organise the keeping of records on waste holders and the submission of invoices with the information specified in subsection 5 of § 66⁴ of this Act to waste holders on the basis of an administrative contract through the provider of the organised waste transport service. The amount provided in the invoice is paid to the local authority.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66⁷. Payment and contestation of service fee for alternative organised waste transport

(1) The waste transport service fee is paid on the basis of the invoice specified in subsection 5 of § 66⁴ of this Act within the term specified therein to the local authority or a person specified in subsection 2 of § 66⁶ with whom the local authority has entered into an administrative contract.

(2) The waste transport service fee is deemed to have been paid on time if it is credited to the bank account indicated on the invoice by the due date.

(3) Interest is calculated on the amounts of the waste transport service fee paid to a local authority or a person specified in subsection 2 of § 66⁶ of this Act after expiry of the established term and on excess amounts paid by waste holders for the benefit of the local authority or a person specified in the same subsection in accordance with the rules provided in the Taxation Act.

(4) Where a waste holder finds that their rights have been violated by the amount of the waste transport service fee charged to them on the basis of the invoice specified in subsection 5 of § 66⁴ of this Act, the waste holder may file a challenge with the rural municipality or city government or an appeal with an administrative court.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 66⁸. Establishment of waste transport service fee in local authorities exempt from obligation to organise organised waste transport

(1) A local authority that is not required to organise organised waste transport pursuant to subsection 2 of § 135 of this Act may, for the organisation and development of waste management, including the attainment of the separate collection and recovery targets for waste, establish a waste transport service fee which covers the costs specified in subsection 4 of § 66².

(2) The rules for determining the amount of the waste transport service fee and its payment are established by the municipal council.

(3) The provisions of subsections 2, 4 and 5 of § 66², subsections 1, 2 and 5 of § 66⁴, § 66⁵, subsections 1 and 2 of § 66⁶ and § 66⁷ of this Act apply to the waste transport service fee.

(4) The waste transport service fee is paid to the local authority by a waste holder who has a residence or place of business in the administrative territory of that local authority.

(5) The waste transport service fee is a fixed amount which is up to 100 per cent of the price of municipal waste transferred to the waste handler during the previous year divided by the number of persons having a residence or place of business in the administrative territory of that local authority, but not less than one euro per one calendar month per waste holder.

(6) The type of the immovable used by the waste holder, its area and intended use are taken into account upon determination of the waste transport service fee for each waste holder.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 67. Choice of waste transport operator

(1) In order to find a provider of the organised waste transport service, the Public Procurement Act is applied by a local authority independently or in co-operation with a co-operation organisation for local authorities or other local authorities, taking account of the specifications provided in this Act. In the latter case, the administrative territories of the co-operating local authorities may form a single transport area, taking account of the number of residents of the area provided in subsection 5 of this section.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) In order to perform the functions related to the organisation of a public procurement for organised waste transport in accordance with the rules provided in § 43 of the Public Procurement Act, a municipal council may authorise another local authority, a non-profit association or foundation whose member the local authority is and which, pursuant to its articles of association, can only have local authorities or an association of local authorities as its members or a company established by and directly controlled by the local authority.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(3) In order to find a provider of the organised waste transport service, a local authority prepares the procurement documents on the basis of subsection 4 of § 77 of the Public Procurement Act, taking account of the specifications provided in this subsection. In order to find a provider of the organised waste transport service, the following conditions, among others, are determined in the procurement documents:

- 1) the transport area;
- 2) the types of waste transported;
- 3) the estimated quantities of waste;
- 4) the waste management facility or facilities;
- 5) the duration of the public contract;
- 6) the conditions of transport, such as the frequency, time and technical conditions of transport;

- 7) optional additional services related to waste transport, for which a surcharge may be charged, and additional services related to waste transport which are directly related to waste transport and the costs of which must be included in the service fee for organised waste transport;
- 8) the number of waste holders deemed to have subscribed to organised waste transport, the number, type and size of the collection containers used by them and the number of discharges per year by type of waste, the expected volume of consumption of optional additional services and other data describing the volume of consumption of the service;
- 9) the basic principles of customer service if, by an administrative contract, the functions of settlement with waste holders and invoicing are transferred to the transport operator;
- 10) the obligation of the waste transport operator to check whether the transferred waste has been properly collected separately.
- [RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(3¹) A separate public contract is awarded to a packaging waste transport operator.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(4) [Repealed – RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(5) The number of residents of a transport area specified in clause 1 of subsection 3 of this section does not exceed 100,000.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(6) A transport area is determined by the municipal council on the basis of the expected waste quantities and the specific characteristics of the built-up area and the road and street network.

(7) The body organising the organised waste transport service publishes the decision to award a contract to a provider of the organised waste transport service in a local newspaper.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 68. Right to carry out waste transport

(1) A person who has entered into a public contract with the local authority for the provision of the organised waste transport service has the right to provide the organised waste transport service with regard to the specified types of waste and in the specified transport area. The duration of the public contract awarded to a provider of the organised waste transport service is up to five years.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) Registration of the activity specified in clause 2 of subsection 2 of § 98⁷ of this Act is required for the provision of the service of organised waste transport.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 69. Subscription to organised waste transport services

(1) A waste holder is deemed to have subscribed to the organised waste transport in the waste transport area of its residence or place of business. The waste holder is deemed to have subscribed to the organised waste transport as of the entry into force of the regulation specified in subsection 4 of § 66 of this Act.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(1¹) A local government shall inform a waste holder in writing about the date as of which the waste holder is subscribed to organised waste transport.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(2) For the purposes of this Chapter, waste holder means also an apartment association or, in the absence thereof, the owner of the immovable where a summer house, dwelling or business premises are situated.

(2¹) Where the provision of the organised waste transport service on a registered immovable owned or operated within the area of government of the Ministry of Defence is significantly hindered due to national security requirements, a local authority may, by way of exception and at the request of the waste holder, exempt the waste holder from subscribing to organised waste transport for a certain term.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(3) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(4) If a local government is convinced that nobody lives on a registered immovable or a registered immovable is not being used, it may, as an exception, release the waste holder from subscription to organised waste transport for a certain term on the basis of a request of the waste holder.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(4¹) All persons holding an environmental protection permit are released from the obligation to subscribe to organised waste transport.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(4²) In order to determine the term provided for in subsection 4 of this section, the local government shall conduct a prior on-site inspection to verify that the circumstances for release of the waste holder from subscription to organised waste transport are true and enable the release.
[RT I 2010, 44, 260 – entry into force 19.07.2010]

(4³) [Repealed – RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(5) [Repealed – RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(5¹) [Repealed – RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(6) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 70. Recovery and disposal of waste

(1) A local authority organises the recovery or disposal of waste collected on its order, unless it is covered by the obligations related to the extended producer responsibility of producers.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1¹) For the recovery or disposal of waste collected on the order of a local authority, unless such waste is covered by an obligation related to the extended producer responsibility, the local authority awards a public contract independently or in co-operation with other local authorities pursuant to the Public Procurement Act.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1²) Separate contracts are awarded to a bio-waste handler and a mixed municipal waste handler, even if both types of waste are managed by the same service provider.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1³) The recovery of bio-waste must ensure the recycling of bio-waste and comply with the conditions provided in subsection 1 of § 2¹ of this Act.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1⁴) The duration of a public contract awarded for the provision of the service of recovery or disposal of waste collected on the order of a local authority is up to five years.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) The purpose of recovery organised pursuant to subsection 1 of this section regarding the collected waste is, among other things, to attain the recycling targets for municipal waste specified in subsections 1 and 2 of § 136³ of this Act.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 71. Local government waste management rules

(1) Waste management rules for organising waste management within a local government shall be established by a regulation of the local government council.

(2) Waste management rules shall set out:

1) organisation of waste handling and storage and the relevant technical requirements, such as the type, material and size of collection containers, the bottom structure and location of the containers, the use of shared collection containers;

[RT I 2010, 44, 260 – entry into force 19.07.2010]

1¹) the procedure for separate collection of municipal waste established on the basis of subsection 5 of § 36 of this Act;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

2) measures to prevent or, if prevention is not possible, reduce risks to human health and the environment which may arise from waste, including the regular removal of bio-waste at least once every four weeks if composting of bio-waste is not ensured at the place of waste generation, the regular removal of mixed municipal waste at least once every 12 weeks and the regular removal of municipal packaging waste without deposit at least once every 12 weeks, based on cost-effectiveness and environmental efficiency;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

2¹) requirements for composting biological waste to ensure composting pursuant to clause 2 of subsection 2 of this section;

[RT I, 08.07.2014, 2 – entry into force 07.01.2015, in accordance with clause 53 of Judgment No. 3-4-1-34-14 of Constitutional Review Chamber of Supreme Court of 6 January 2015 (RT I, 06.01.2015, 21): "In the current constitutional review matter on the basis of § 12 of the Constitutional Review Court Procedure Act the Supreme

Court suspended the entry into force of the Waste Act Amendment Act (RT I, 08.07.2014, 2) until entry into force of Judgment of the Supreme Court (Ruling of Constitutional Review Chamber of Supreme Court of 25 September 2014 in matter No. 3-4-1-34-14). This Judgment of the Supreme Court enters into force in conformity with subsection 2 of § 58 of the Constitutional Review Court Procedure Act upon pronouncement on 6 January 2015. Thus, the Waste Act Amendment Act (RT I, 08.07.2014, 2) enters into force on 7 January 2015."]

3) list of the waste transport areas within the territory of the local government where subscription to organised waste transport services is obligatory;

4) requirements for handling waste not covered by organised waste transport;

5) the procedure for collecting hazardous waste produced by households from the residents and for transferring the waste to an undertaking holding an environmental protection permit for handling hazardous waste;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

6) the procedure for handling the waste produced by persons providing health care or veterinary services within the territory of the local government;

7) collection sites for construction and demolition waste, including wood, concrete, bricks, tiles, ceramics, stones, metal, glass, plastic and plaster collected separately at source, and the requirements for their handling;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

8) information on the sites for preparing for re-use;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

9) organisation of supervision over waste handling in the territory of the local government;

10) requirements for aftercare of the waste management facilities, except landfills, in the territory of the local government;

[RT I 2007, 19, 94 – entry into force 11.03.2007]

11) requirements for development of separate collection of waste, with the time limits for separate collection by types of waste, and the derogations prescribed on the basis of subsection 6 of § 31 of this Act;

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

12) organisation of waste collection in low-density areas where no waste transport has been organised on the basis of subsection 3 of § 66 of this Act;

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

13) organisation of collection of bulky waste.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(3) [Repealed – RT I, 17.03.2023, 3 – entry into force 01.04.2023]

§ 71¹. Register of waste holders

(1) A local government shall establish the register of waste holders and the procedure for maintaining the register by a regulation.

(1¹) The purpose of the register of waste holders is to keep records of waste holders and to publish information on waste management.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(2) No fees may be charged for submission of data to or issue of data from the register of waste holders or for exchange of data with related databases.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(3) The data processed in the register of waste holders include general data of persons.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(4) After the termination of the contract for organised waste transport, the personal data entered in the register of waste holders are transferred to the archives, where they are preserved for up to five years after which they are deleted.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 71². Co-operation of local authorities in organising waste management

(1) Local authorities may form a joint administrative agency or joint agency for the organisation of waste management, the establishment, bases of activities and management of which are subject to the provisions of §§ 62¹–62³ of the Local Government Organisation Act with the specifications arising from this Act.

(2) In addition to the cases provided in this Act, local authorities may, by an administrative contract, transfer the performance of the obligation to advise and inform waste holders to a co-operation body specified in § 62 of the Local Government Organisation Act or to a company, non-profit association or foundation established by a local authority or an association of local authorities.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

Chapter 5 Financing of Development of Waste Handling

[Repealed -RT I, 23.10.2018, 1 - entry into force 30.10.2018]

§ 72. Support of development of waste handling

[Repealed – RT I, 23.10.2018, 1 – entry into force 30.10.2018]

Chapter 6 Waste Permits and Registration of Waste Handlers

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

Subchapter 1 Waste Permit

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 73. Waste permits

(1) A waste permit grants a person handling waste or waste producer the right to carry out one or several of the waste handling operations specified in subsection 2 of this section, and determines the requirements for exercising the right.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(2) A waste permit is required for:

1) disposal of waste;

2) waste recovery;

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

3) recovery or disposal of hazardous waste as a part of economic activities;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

4) recovery or disposal of waste metal as a part of economic activities;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

5) [repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

6) [repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

7) [repealed – RT I, 17.03.2023, 3 – entry into force 01.04.2023]

8) operation of an extractive waste facility;

9) operation of a landfill;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

10) aftercare of a landfill and an extractive waste facility.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(3) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(4) A waste permit is not required:

1) from natural persons who handle the waste produced by their households themselves in accordance with the requirements of this Act;

2) from the Rescue Board for the collection and transport of waste generated in the course of rescue work or explosives removal;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

3) from persons who have been granted the right for such activities by an integrated permit;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

4) from state authorities and educational institutions for use of waste in the course of training exercises if the conditions of such use are approved by the Environmental Board.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(4¹) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(5) The minister in charge of the policy sector has the right to establish, by a regulation, requirements for recovery, or disposal at the place of production, of certain types and quantities of non-hazardous waste upon compliance with which a waste permit is not required for handling the waste.

§ 74. Registration of waste handlers

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 75. Waste permit for waste generation

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 2 Granting, Amendment, Suspension, Revocation and Content of Waste Permits

§ 76. Authority issuing waste permits

(1) Waste permits are issued by the Environmental Board (hereinafter *issuing authority*).
[RT I 2009, 3, 15 – entry into force 01.02.2009]

(2) [Repealed – RT I 2009, 3, 15 – entry into force 01.02.2009]

§ 77. Applying for waste permits

(1) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(2) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(3) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(4) A separate waste permit for waste management is required for each waste management facility, installation and place of waste generation.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(5) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 78. Application for waste permit

(1) In addition to the provisions of subsection 1 of § 42 of the General Part of the Environmental Code Act, the following is indicated in an application for a waste permit:

- 1) types of waste handled and quantities, in tons, of waste handled during the calendar year;
- 2) a description of waste generated as a result of handling processes and a description of the subsequent handling or delivery thereof;
- 3) a description of the characteristics of waste management operations and waste handling technology;
- 4) a description of the technical units of waste management facilities with location data;
- 5) the annual handling volume of the waste management facility and the handling capacity that has been set up for each waste handling operation and technology in tons per year;
- 6) the maximum amount of waste that can be stored at a waste management facility in tons and cubic metres and the layout plan of stored waste;
- 7) upon storing waste at a waste management facility, the estimated time for referral of waste to recovery or disposal;
- 8) a description of measures intended for the prevention of waste production and reduction of the quantities of waste;
- 9) a description of the intended health and environmental protection measures to be applied upon commencement and termination of activities, including a plan for the aftercare of waste management facilities;
- 10) a comparison of the technological processes used in and the technical supply of waste management with the best available technology.

(2) If a waste permit is applied for in order to handle waste resulting from products of concern, the application must include data proving the achievement of recovery and recycling targets provided for in the regulation established on the basis of subsection 3 of § 26 of this Act. Data is not required for the transport, repackaging and storage of waste resulting from products of concern.

(3) If a waste permit is applied for in order to handle hazardous waste or operate a landfill or an extractive waste facility, the applicant shall submit to the issuing authority documents that describe the duties and responsibility of the natural person responsible for the operation of the requested activity in compliance with technical and environmental requirements, and prove the competence of the said natural person.

(4) Requirements for the relevant training and competence of the responsible person specified in subsection 3 of this section shall be established by a regulation of the minister in charge of the policy sector.

(5) A person who has acquired foreign professional qualifications may also act as the person responsible for hazardous waste management if his or her professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 2 of § 7 of the Recognition of Foreign Professional Qualifications Act is the Environmental Board.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 79. Opinion of local government concerning application for waste permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 79¹. Open proceedings for granting waste permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 80. Granting and notification of waste permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 81. Content of waste permit

(1) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(2) In addition to the provisions of subsection 1 of § 53 of the General Part of the Environmental Code Act, the following is indicated in a waste permit:

- 1) types of waste handled and quantities, in tons, of waste handled during the calendar year;
- 2) permitted waste management operations and a description thereof;
- 3) technical and environmental requirements established for the activities;
- 4) time of commencement and termination of the activities;
- 5) handling capacity at the waste management facility or facilities for each waste handling operation and technology in tons per calendar year;
- 6) the maximum amount of waste that can be stored at a waste management facility in tons and cubic metres based on the technical and spatial potential of the facility and the storage method of waste;
- 7) upon storing waste, the estimated time for referral of waste to recovery or disposal.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 82. Term of validity of waste permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 83. Refusal to grant waste permit

(1) In addition to the grounds provided for in subsection 1 of § 52 of the General Part of the Environmental Code Act, the issuing authority shall refuse to grant a waste permit if the applicant's activities are to a significant extent contrary to the sectoral action plan concerning the environment or the local government's waste management plan.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(2) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 84. Amendment of waste permits

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 85. Suspension and revocation of waste permits

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(1) In addition to the grounds provided for in subsection 1 of § 61 of the General Part of the Environmental Code Act, the issuing authority may suspend the waste permit for up to three months if the holder of the permit fails to submit a report on waste for the waste management facility related to the waste permit during the term.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(1¹) In addition to the grounds provided for in subsection 2 of § 62 of the General Part of the Environmental Code Act, the issuing authority may revoke a waste permit if the holder of the permit repeatedly fails to submit a report on waste for the waste management facility related to the waste permit during the term.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(2) [Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 86. Terms for proceedings for granting, amendment or revocation of waste permit, and formats of waste permit and application for waste permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 87. State fee for application for or amendment of waste permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 3 Permit for Recovery and Disposal of Metal Waste

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 88. Additional information to be submitted when applying for waste permit for collection and transport of waste metal

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 89. Refusal to grant waste metal permit if the applicant has criminal record

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

In addition to the cases provided for in § 52 of the General Part of the Environmental Code Act, the issuing authority shall refuse to grant a waste permit for the recovery and disposal of metal waste if the sole proprietor or a member of the management board or supervisory board of a company applying for the permit has committed an environmental crime, a criminal offence against property or an economic criminal offence and the information concerning punishment for the crime or offence has not been deleted from the criminal records database.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 90. Place of deposit of waste metal permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 4 Waste Permit for Operation and Aftercare of Landfill or Extractive Waste Facility

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 91. Applying for waste permit for operation of landfill

(1) In addition to the information specified in § 78 of this Act, an applicant for a waste permit for operating a landfill (hereinafter *landfill permit*) shall submit the following information to the issuing authority:

- 1) information concerning the quantities of waste to be deposited, broken down by waste codes and types;
- 2) information concerning the proposed capacity of the landfill in volume and mass units;
- 3) a description of the site of the landfill, including its hydrogeological and geological characteristics;
- 4) a guarantee of a credit or financial institution or insurance undertaking established in the European Economic Area or a document proving a financial security;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

- 5) descriptions of measures applied in organising the operation of the landfill to prevent accidents and limit their harmful consequences;
- 6) information concerning the class of the planned landfill;
- 7) a plan for the closure and aftercare of the landfill;
- 8) a plan for operation, monitoring and control actions;
- 9) a description of measures planned for the prevention and reduction of pollution.

(1¹) The guarantee of a credit or financial institution or insurance undertaking and financial security specified in clause 4 of subsection 1 of this section must be valid for the entire period of operation, closure and aftercare of the landfill to ensure that the operator is able to perform its duties.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2) With the consent of the Environmental Board, the requirement specified in clause 4 of subsection 1 of this section may be chosen not to be implemented in the case of a landfill for inert waste.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 92. Verification of information submitted in application for landfill permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 93. Content of landfill permit

In addition to the information provided for in subsection 2 of § 81 of this Act, a landfill permit shall set out:

- 1) the class of the landfill according to subsection 4 of § 34 of this Act;

2) the types of waste to be deposited in the landfill according to the list of waste, and the quantity of waste either as total quantity or, if necessary, by types of waste or as a sum of waste quantities in terms of types of waste;

[RT I 2010, 44, 260 – entry into force 19.07.2010]

3) requirements for operation of the landfill and for environmental monitoring and supervision;

4) the obligation of the applicant to report at least annually by the designated due date to the issuing authority on the types and quantities of waste accepted in the landfill and on the results of environmental monitoring, and the procedure for notifying the issuing authority.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 94. Refusal to grant landfill permit

In addition to the provisions of subsection 1 of § 83 of this Act, the issuing authority refuses to grant a landfill permit if:

1) the applicant does not have a guarantee or financial security specified in clause 4 of subsection 1 of § 91 of this Act;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

2) the landfill does not conform to the requirements established on the basis of § 33 this Act;

3) the documents concerning the technical and professional training of the staff specified in subsection 3 of § 78 of this Act do not confirm that the staff of the landfill have the skills necessary for operation in the area of activity set out in the application;

4) the necessary measures to prevent accidents and limit their consequences are not implemented when operating the landfill.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 94¹. Waste permit for operation of extractive waste facility

(1) The provisions of this Subchapter, except for the provisions in clause 7 of subsection 1 of § 91 and clause 1 of § 93, apply to the granting of a permit for operation of an extractive waste facility. The provisions of clause 4 of subsection 1 of § 91 and clause 1 of § 94 of this Act do not apply to a waste permit for operation of an extractive waste facility established for the purpose of disposal of the waste specified in subsections 32 and 3⁴ of § 1 of this Act.

(2) In addition to the provisions of § 78 of this Act and the information referred to in subsection 1 of this section, a person applying for a waste permit for operation of an extractive waste facility shall provide the issuing authority with:

1) information concerning possible alternative locations for the extractive waste facility;

2) an extractive waste management plan;

3) information concerning the proposed capacity of the extractive waste facility;

4) a description of the site of the extractive waste facility, including its hydrogeological and geological characteristics;

5) a written proof of a financial security for the performance of the operator's obligations upon operation, closure and aftercare of the extractive waste facility.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3) The information provided in the extractive waste management plan appended to the application for a permit specified in subsection 1 of this section need not be presented in the application.

(4) If a permit is being granted for operation of a Category A extractive waste facility and the issuing authority is aware that the operation entails an environmental hazard in another country or if the relevant information is requested by a Member State of the European Union who may be affected by the hazard, the issuing authority shall forward the information provided in the application for a permit to the other Member State simultaneously with publishing the application on the national level.

(5) In addition to the information referred to in subsection 2 of § 81 of this Act and subsection 2 of this section, the following shall be indicated on the waste permit for operation of an extractive waste facility:

1) the category of the extractive waste facility according to subsection 4 of § 35² of this Act;

2) the quantity of the waste to be deposited in the extractive waste facility by types of waste;

3) requirements for operation of the extractive waste facility and for environmental monitoring and supervision;

4) the obligation to provide, by the due date set, at least annual information to the issuing authority on the types and quantities of waste deposited in the extractive waste facility and the results of environmental monitoring.

(6) In addition to the provisions of subsection 1 of § 83 of this Act, the issuing authority shall refuse to grant a waste permit for operation of an extractive waste facility if:

1) the applicant does not have a guarantee specified in clause 4 of subsection 1 of § 91 of this Act;

- 2) no extractive waste management plan has been submitted or the submitted extractive waste management plan does not conform to the requirements and the applicant has not eliminated the deficiencies during the term set;
- 3) the documents concerning the technical and professional training of the staff specified in subsection 3 of § 78 of this Act do not confirm that the staff of the extractive waste facility have the skills necessary for operation in the area of activity set out in the application;
- 4) no measures are applied in the operation of an extractive waste facility to prevent accidents or limit their consequences.

(7) In addition to the cases specified in subsection 1 of § 59 of the General Part of the Environmental Code Act, a waste permit granted for operation of an extractive waste facility shall be amended if:

- 1) significant changes have occurred in the operation of the extractive waste facility or the deposited waste;
- 2) it is necessary to change the details indicated in the permit on the basis of the information submitted by the operator or information obtained in the course of supervision;
- 3) it is necessary to change the requirements indicated in the permit due to changes in the extractive waste management plan or submission of a new waste management plan;
- 4) the principles of the best available techniques have changed to such extent that due to this it is necessary to change the conditions of the permit.

(8) In addition to the cases provided for in subsection 1 of § 62 of the General Part of the Environmental Code Act, a waste permit granted for operation of an extractive waste facility shall be revoked if:

- 1) the holder of the permit fails to submit a report on waste for the previous calendar year during the term;
- 2) circumstances specified in subsection 6 of this section exist;
- 3) no extractive waste management plan has been submitted or the submitted extractive waste management plan does not conform to the requirements and the holder of the permit has not eliminated the deficiencies during the term set.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 94². Waste permit for aftercare of landfill and extractive waste facility

(1) In addition to the provisions of § 78 of this Act, a person applying for a waste permit for aftercare of a landfill and an extractive waste facility shall submit to the issuing authority the data specified in clauses 7–9 of subsection 1 of § 27⁶.

(2) In addition to the provisions of subsection 2 of § 81 of this Act, a waste permit for aftercare of a landfill and an extractive waste facility determines the following:

- 1) the aftercare conditions of landfills and extractive waste facilities;
- 2) the conditions for environmental monitoring.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 5 Waste Permit for Waste Incineration

[Repealed -RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 95. Applying for waste permit for waste incineration

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 96. Content of waste incineration permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 6 Waste Permit for Waste Transport Organised by Local Governments

[Repealed -RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 97. Applying for waste permit for waste transport organised by local governments

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 98. Content of organised waste transport permit

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 7

Waste Permit for Generation of Waste and Tailings from Extraction and Treatment of Mineral Resources

[Repealed -RT I, 17.03.2023, 3 - entry into force 01.04.2023]

§ 98¹. Applying for permit for generation of waste and tailings from extraction and treatment of mineral resources

[Repealed – RT I, 17.03.2023, 3 – entry into force 01.04.2023]

§ 98². Refusal to grant and amendment of permit for generation of waste and tailings from extraction and treatment of mineral resources

[Repealed – RT I, 17.03.2023, 3 – entry into force 01.04.2023]

Subchapter 8 Environmental Protection Permit for Deposit of Waste and Waste Permit for Recovery and Disposal of Hazardous Waste

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 98³. Environmental protection permit for deposit of waste

(1) In addition to the information specified in §§ 78 or 98⁸ of this Act, the person applying for a permit or registration for the storage of waste, including storage of waste in relation to the handling thereof, must submit to the issuing authority an application together with a document proving the existence of a guarantee of a credit or financial institution or insurance undertaking located in the European Economic Area or a security in the form of a deposit paid to a designated account (hereinafter together the *waste storage security*) for covering the costs of organising the handling of and the costs of handling the waste to be stored.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1¹) The amount of the waste storage security is calculated in accordance with the following formula:

$M = (T \times K + T \times L + V) \times 1.15$, where

M – the amount of the waste storage security in euros;

T – the quantity of waste to be stored simultaneously indicated in the application for an environmental protection permit or in the environmental protection permit in tonnes;

K – the price of handling of waste in euros per tonne;

L – the price of loading of waste in euros per tonne;

V – the price of transport of waste in euros.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1²) The creditor of the commitment under the guarantee specified in subsection 1 of this section is the Environmental Board.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1³) The security specified in subsection 1 of this section is paid as a deposit to the account of the Ministry of Finance.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1⁴) If the ground for requiring the waste storage security specified in subsection 1 of this section has ceased to exist, the Environmental Board arranges for the amount of the security paid as a deposit to be returned or for the commitments under the guarantee of the undertaking which issued the guarantee to end.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2) The waste storage security specified in subsection 1 of this section must cover the costs of organising the handling of and the costs of handling all the waste the storage of which is applied for, and must be available and valid for the entire period of storing the waste.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3) In the absence of a waste storage security, storage of waste is prohibited.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4) The value of a waste storage security must be at least 115 per cent of the expected amount of the costs of organising the handling of and the costs of handling all the waste the storage of which is applied for.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4¹) The Environmental Board has the right to require the production of evidence and data on the basis of which the amount of a security has been determined in order to verify whether the provisions of subsections 1¹, 2, 4 and 4² of this section have been considered when determining the amount of the security.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4²) The amount of a waste storage security is determined on the basis of the costs of organising the handling of and the costs of handling the waste to be stored, whereas the costs of organising the handling of the waste include both the cost of loading and transporting the waste, and the costs of handling the waste mean the costs of handling the waste by type of waste.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4³) A person holding an environmental protection permit prepares, at least every three years, an assessment of adequacy of the waste storage security in a form reproducible in writing and amends it as necessary.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4⁴) If the Environmental Board estimates that the waste storage security does not cover the costs of organising the handling of and the costs of handling the waste to be stored, the Environmental Board is entitled to require the person holding an environmental protection permit to increase the security.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4⁵) The security specified in subsection 1 of this section paid in the form of a deposit to the designated account is not part of the bankruptcy estate of the person holding an environmental protection permit.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(5) There is no obligation to have a waste storage security specified in subsection 1 of this section:
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

1) for waste treatment plants or collection facilities of local authorities;
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

2) for landfill operators with regard to waste to be deposited;

3) for operators of extractive waste facilities;

4) for persons who handle waste resulting from products of concern on behalf of a producer or producers' responsibility organisation under a written contract;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

5) for depositors of metal and lead-acid battery waste;

6) for persons who have an eco-management and audit scheme compliant with the requirements of Regulation (EC) No 1221/2009 of the European Parliament and of the Council, in waste management facilities included in the eco-management and audit scheme registration certificate;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

7) for persons registered with the Environmental Board on the basis specified in clause 1 of subsection 2 of § 98⁷ of this Act, in the case of waste destined for recovery, if the amount of the waste storage security does not exceed 500 euros;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

8) for water undertakings in the case of the treatment of sewage sludge generated by their own activities;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

9) for extraction permit holders in the case of the management of extractive waste generated by their own activities;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

10) for agricultural producers in the case of digestate used in agriculture.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(6) A person holding an environmental protection permit who is unable to comply with the obligation to organise the handling of and to handle the waste to be stored notifies the Environmental Board immediately thereof.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(7) The use of a waste storage security is decided by the Environmental Board. Bankruptcy proceedings initiated against a person holding an environmental protection permit do not restrict the rights of the Environmental Board to use the security.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(8) If a person holding an environmental protection permit is unable to comply with the obligation to organise the handling of and to handle the waste to be stored, the Environmental Board organises the fulfilment of the specified obligations on the grounds and in accordance with the rules provided in the Substitutional Performance and Non-Compliance Levies Act.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(9) If a person holding an environmental protection permit is unable to comply with the obligation to organise the handling of and to handle the waste to be stored and the Environmental Board has made a decision on the substitutional performance specified in subsection 8 of this section, the Environmental Board submits a claim for payment under the guarantee to the undertaking that issued the guarantee or makes a decision on the security paid as a deposit.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(10) The guarantee specified in subsection 1 of this section must set out the term of payment of the claim submitted by the Environmental Board under the guarantee of up to 20 working days from the receipt of the claim by the undertaking that issued the guarantee.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(11) If the security in the form of a deposit transferred from the designated account to the account designated by the Environmental Board is greater than the actual costs incurred by organising the handling of and by handling the stored waste, the remaining amount is transferred to the account of the person holding the environmental protection permit or, if the person does not exist, to the state budget.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(12) If the waste storage security of a person holding an environmental protection permit is not sufficient to cover the costs of organising the handling of and handling the waste to be stored, the missing part is provided by the person holding the environmental protection permit.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 98⁴. Refusal to grant environmental protection permit for storage of waste

In addition to the provisions of subsection 1 of § 83 of this Act, the issuing authority refuses to grant an environmental protection permit for the storage of waste if the applicant lacks the waste storage security specified in subsection 1 of § 98³ or the issuing authority does not consider the provided security to be sufficient or reliable.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 98⁵. Waste permit for recovery and disposal of hazardous waste

(1) In addition to the provisions of § 78 of this Act the applicant for a waste permit for the recovery and disposal of hazardous waste shall submit to the issuing authority:

1) a description of the management system, including work organisation documents which provide an overview of any duties, competence and responsibility of employees involved in the handling of hazardous waste;

2) a guarantee of a credit or financial institution or insurance undertaking located in the European Economic Area or a document proving a financial security for covering the cost of remedy of the effects of environmental pollution caused by accidents;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

3) an explanation of the potential occurrence of emergencies and a description of measures to be applied in potential emergencies;

4) a confirmation of existence of technical equipment required to prepare a consignment note.

(2) The amount of the guarantee or financial security for the recovery or disposal of hazardous waste is calculated in accordance with the following formula:

$M = T \times L / 52$, where

M – the amount of the guarantee or other security in euros;

T – 255 euros per tonne;

L – the total annual handling quantity of hazardous waste in tonnes as specified in the application for a waste permit for handling hazardous waste;

52 – the number of weeks per year.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3) If the amount of the guarantee or financial security calculated according to the formula set out in subsection 2 of this section is less than 6400 euros, the value of the financial security is 6400 euros per year.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4) If the amount of the guarantee or financial security calculated according to the formula set out in subsection 2 of this section is more than 320,000 euros, the value of the financial security is 320,000 euros per year.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(5) The guarantee or financial security specified in clause 2 of subsection 1 of this section must exist simultaneously with the handling of hazardous waste.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(6) Upon transport of hazardous waste, the guarantee or financial security must cover at least the amount specified in subsection 3 of this section.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 98⁶. Refusal to grant waste permit for recovery and disposal of hazardous waste

In addition to the provisions of subsection 1 of § 83 of this Act, the issuing authority shall refuse to grant a waste permit for the recovery and disposal of hazardous waste if:

1) the applicant lacks the guarantee or financial security specified in clause 2 of subsection 1 of § 98⁵ of this Act;

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

2) the natural person responsible for the operation of the applicant's waste handling operations in compliance with technical and environmental requirements does not conform to the requirements for training and competence provided for in subsection 4 of § 78 of this Act or have professional qualifications in accordance with subsection 5;

3) the applicant or the natural person responsible specified in clause 3 of § 78 of this Act has been repeatedly punished for offences against environment and the information concerning punishment for the offences has not been deleted from the criminal records database;

4) the applicant lacks technical means and a possibility to prepare the consignment note certified by a digital signature specified in § 64 of this Act as an authorised user in the database of consignment notes for hazardous waste;

5) the applicant cannot prove the accomplishment of recovery and recycling targets determined on the basis of subsection 3 of § 26 of this Act with regard to handling waste resulting from products of concern.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Subchapter 9 Registration of Waste Handlers

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 98⁷. Registration of waste handlers

(1) Registration of the waste handler's activity with the Environmental Board (hereinafter *registration provider*) grants the right to carry out one or several of the activities specified in subsection 2 of this section.

(2) The Environmental Board shall register the activity of a person who:

1) is exempted from the obligation to hold a waste permit based on subsection 5 of § 73 of this Act;

2) transports waste as a part of its economic or professional activities;

3) collects waste as a part of its economic or professional activities;

4) organises, as a broker, the disposal or recovery of waste on behalf of others;

5) operates as a waste dealer;

6) [repealed – RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(3) There is no registration obligation:

1) for natural persons who handle the waste produced by their households independently, taking account of the requirements established for waste holders in this Act;

2) for the Rescue Board for the collection and transport of waste generated in the course of rescue work or explosives removal;

3) for a person who has been granted the right to pursue such activities by a waste permit or an integrated permit;

4) for a transporter of waste specified in subsection 3 of § 14 of this Act, unless the said transporter of waste takes waste across the state border;

5) for a person who collects waste resulting from products of concern at the place of sale or medicinal waste from the producer of the waste and has an obligation to pursue this activity arising from legislation;

6) for state authorities and educational institutions for use of waste in the course of training exercises if the conditions of such use are approved by the Environmental Board;

7) for a legal person who handles bio-waste generated in the course of its activities at source of up to one tonne per year in accordance with the requirements of this Act.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(4) In the case specified in clause 1 of subsection 2 of this section or in the event of operation in the areas of activity specified in clauses 2–6, the registration provider requests application for a waste permit if the activity of the person necessitates the establishment of additional requirements or measures with a waste permit due to environmental hazards.

(5) Where the person collecting waste resulting from products of concern or the person acting as a broker or dealer is the producers' responsibility organisation specified in subsection 3 of § 23 of this Act, the operation of such person is registered in the register of products of concern specified in this Act.

[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(6) The minister in charge of the policy sector may establish, by a regulation, the requirements for the recovery, or disposal at the place of production, of certain types and quantities of non-hazardous waste upon compliance with which there is no registration obligation.
[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

§ 98⁸. Application for registration

(1) The applicant for registration shall submit an application with the following information and documents to the registration provider through the environmental decisions information system:

[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

1) the name and personal identification code or registry code of the applicant;

[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

2) the address and details of the applicant and the name and details of the contact person;

[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

3) the address, e-mail address and telephone number of the place of business, including the waste management facility;

4) the area of activity at the place of business;

5) the types of waste handled and quantities, in tons, of waste handled during the calendar year;

6) a description of the planned activities with information on the technology and equipment used for handling waste;

7) the code of the planned waste handling operation determined on the basis of subsection 8 of § 15 and subsection 2 of § 17 of this Act together with a description of the activities;

8) documents proving the legitimate possession of the plot of land of the waste management facility, if there is one, or other legitimate grounds for operating at the location of the installation;

9) the annual handling volume and handling capacity of the waste management facility, if there is one, for each waste handling operation and technology in tons per year;

10) upon storing waste at a waste management facility, the maximum amount of waste that can be stored at the waste management facility in tons and cubic metres and the layout plan of stored waste;

11) the term of validity of the registration applied for;

[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

12) a list of the counties where collection or transport of waste is planned;

13) upon collection or transport of hazardous waste, documents proving compliance with the requirements provided for on the basis of subsection 4 of § 78 of this Act or the training and competence of the person handling waste in accordance with subsection 5;

14) upon collection or transport of hazardous waste, documents in accordance with the requirements provided for in § 98⁵ of this Act.

(2) [Repealed – RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(3) All collection facilities where activities are planned shall be specified in the application for registration of waste collection facilities.

(4) The registration provider verifies the compliance of the registration application with the requirements within ten working days after the receipt of the application. If registration is not required for the activity applied for or a waste permit is required, the registration provider notifies the applicant for registration thereof within ten working days after the receipt of the application.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(5) When applying for registration of waste transport specified in clause 2 of subsection 2 of § 98⁷ of this Act, no information is submitted about the quantities of waste.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 98⁹. Content of registration

(1) A registration shall indicate:

1) the name and personal identification code or registry code of the holder of registration;

2) the address and details of the holder of registration and the contact person;

3) the precise location of the place of business, and the geographical co-ordinates thereof if necessary;

4) the activity to be registered in accordance with the registration requirements provided for in this Act;

5) the term of validity of the registration act if the registration is granted for a specified term;

6) the types and quantities of waste handled in the course of a calendar year;

7) the waste handling operation code of the planned activities determined on the basis of subsection 8 of § 15 and subsection 2 of § 17 of this Act together with a description of the activities;

8) upon storing waste, the estimated time for referral of waste to recovery or disposal;

9) a list of the counties where collection or transport of hazardous or non-hazardous waste is planned.

(2) [Repealed – RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(3) A registration of waste transport specified in clause 2 of subsection 2 of § 98⁷ of this Act does not indicate the quantities of waste to be transported.
[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 98¹⁰. Registration

(1) The registration provider shall decide on the registration of or refusal to register activities within 30 days after receipt of an application conforming to the requirements. If an application for registration is not reviewed during the term, the person's activities shall not be deemed registered by default upon expiry of the term.
[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

(2) If registration is granted to a person specified in clause 1 of subsection 2 of § 98⁷ of this Act, the registration provider may execute the registration as a part of an environmental permit.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(3) The activities are registered in the environmental decisions information system and a relevant registration certificate is issued to the applicant for registration through the environmental decisions information system.
[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

(4) The registration specified in subsection 1 of this section may be made and the relevant certificate may be issued through the environmental decisions information system in an automated manner provided that the prerequisites for making a registration can be automatically verified.
[RT I, 27.05.2022, 1 – entry into force 06.06.2022]

§ 98¹¹. Refusal to register

(1) The registration provider shall refuse to register the waste handler on the grounds specified in subsection 1 of § 52 of the General Part of the Environmental Code Act.

(2) In addition to the grounds provided for in subsection 2 of § 52 of the General Part of the Environmental Code Act, the registration provider has the right to refuse registration if:

- 1) the activity to be registered does not conform to the sectoral development plan or the local government waste management plan;
 - 2) the grounds provided for in § 98⁶ of this Act exist upon handling hazardous waste;
 - 3) the grounds provided for in § 89 of this Act exist upon handling metal waste;
 - 4) the applicant for registration has not submitted a report on waste for the previous calendar year for the term.
- [RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 98¹². Period of validity of registration

The activity of a person specified in subsection 1 of § 98⁷ of this Act shall be registered for an unspecified term, unless:

- 1) registration is applied for a specified term;
- 2) the planned activity is one-time.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 98¹³. Obligation of registered person to inform of amendment of data submitted in application for registration

A registered person is required to promptly inform the registration provider of changes in its business name, registry code and details, as well as of change or termination of the activity, and other circumstances which may affect the activity permitted on the basis of the registration, and to apply for the amendment of the registration or a new registration.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 98¹⁴. Amendment of registration

The registration provider has the right to amend the registration on the grounds provided for in subsections 1 and 2 of § 59 of the General Part of the Environmental Code Act.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 98¹⁵. Revocation of registration

(1) The registration provider shall revoke the registration of the waste handler on the grounds specified in subsection 1 of § 62 of the General Part of the Environmental Code Act.

(2) In addition to the grounds provided for in subsection 2 of § 62 of the General Part of the Environmental Code Act, the registration provider has the right to revoke a registration if:

- 1) the grounds for refusal to register provided for in § 98¹¹ of this Act exist;

2) the registered person has not submitted a report on waste during the term.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Chapter 7

Hazardous Waste Management licence

[RT I, 21.12.2019, 1 - entry into force 01.01.2020]

§ 99. Hazardous waste management licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 99¹. Notification of applications for hazardous waste management licences

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 100. Terms for granting of hazardous waste management licences and requirements set by hazardous waste management licences

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 101. Refusal to grant hazardous waste management licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 101¹. Amendment of hazardous waste management licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 102. Suspension and revocation of hazardous waste management licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 103. Procedure and terms for proceedings for granting, amendment, suspension or revocation of hazardous waste management licences, and format of licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 103¹. Notification of granting, refusal to issue and amendment of hazardous waste management licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 103². State fee for granting and amendment of hazardous waste management licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Chapter 8

Special Conditions for Collection of Waste Metal

§ 104. Waste Metal

Waste Metal means the waste mainly consisting of pure ferrous or non-ferrous metals or alloys thereof. A detailed list of waste metal shall be established by a regulation of the minister in charge of the policy sector in accordance with the list of waste prepared on the basis of subsection 4 of § 2 of this Act.

§ 105. Restriction on buying up waste metal

(1) It is prohibited to buy up metal objects as waste if the objects are of obvious artistic or historical value.

(2) Electrical wires and cable may be bought up as waste only from a network operator specified in the Electricity Market Act who holds an authorisation granted under the Electricity Market Act, from an electronic communications undertaking specified in the Electronic Communications Act who has submitted a notice of economic activities required by the Electronic Communications Act or from an undertaking holding an environmental protection permit whose legitimate activity results in the waste being generated.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(3) Traffic signs and road signs, metal covers of manholes for underground utilities and railway tracks may be bought up as waste only from a person qualified for the maintenance of public roads who has submitted a notice of economic activities required by the Building Code, from a railway infrastructure manager specified in the Railways Act who holds an operating licence granted under the Railways Act or from an undertaking holding an environmental protection permit whose legitimate activity results in the waste being generated.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(4) Motor vehicles or essential parts thereof may be bought up from persons as waste only on the basis of a certificate concerning the deletion of the vehicle from the register issued by the Transportation Administration or a person authorised thereby or from undertakings holding an environmental protection permit whose lawful activities result in the production of such waste.

[RT I, 10.12.2020, 1 – entry into force 01.01.2021]

(5) The restrictions provided for in subsections 2–4 of this section do not apply to the sale of waste metal acquired in the course of supervision by the supervision authority or local government.

§ 106. Documentation concerning buying up of waste metal

(1) A person who for the purpose of further commercial distribution and recovery collects and transports waste metal produced and transferred by other persons (hereinafter collector of waste metal) and the person transferring the waste metal shall prepare a document concerning the buying up of the waste metal which shall be signed by both parties and, in addition to other requisite information provided by legislation, shall set out:

- 1) the registry code or personal identification code and residence or seat of the person transferring the waste metal;
- 2) a brief description of the waste metal, the type and amount thereof and, in the case of a motor vehicle, also the type, mark, chassis number and colour thereof;
- 3) the registration number of the vehicle used for delivering the waste metal;
- 4) the value of the waste metal.

(2) At least one signed original of a document specified in subsection 1 of this section remains with the collector of waste metal.

(3) A collector of metal waste shall preserve a document specified in subsection 1 of this section for five years and ensure protection of the personal data.

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

§ 107. Settlement upon buying up waste metal

Upon the buying-up of waste metal and commercial distribution of bought-up waste metal, the waste metal shall be paid for by way of a non-cash settlement in the form of a transfer from the bank account of the buyer to the bank account of the seller. Cash settlement upon the buying-up and further distribution of waste metal is prohibited.

Chapter 9 Transboundary Movement of Waste

§ 108. Transboundary movement of waste

(1) Transboundary movement of waste shall be in accordance with international agreements of the Republic of Estonia which have entered into force and pursuant to the procedure provided in Regulation (EC) No 1013/2006 of the European Parliament and of the Council.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) Hazardous waste and waste regulated by international agreements may be imported to, exported from and passed in transit through the territory of the Republic of Estonia on the basis of a permit for transboundary movement of waste (hereinafter *transport permit*) issued pursuant to the procedure provided for in Regulation 1013/2006/EC of the European Parliament and of the Council.

[RT I 2007, 19, 94 – entry into force 12.07.2007]

§ 108¹. Inspection plans for control of transboundary movement of waste

(1) The Environmental Board and the Tax and Customs Board shall prepare inspection plans in conformity with Article 50(2a) of Regulation (EC) No. 1013/2006 of the European Parliament and of the Council.

[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(2) The inspection plans specified in subsection 1 of this section shall be published on the website of the Environmental Board.

[RT I, 25.11.2016, 2 – entry into force 05.12.2016]

§ 109. [Repealed – RT I 2007, 19, 94 – entry into force 12.07.2007]

§ 110. Transport permit for hazardous waste and for waste regulated by international agreements

(1) Transport permit means a document granting the right to import into or export from the Republic of Estonia hazardous waste or waste regulated by an international agreement or specified in Regulation (EC) No 1013/2006 of the European Parliament and of the Council or pass such waste in transit through the territory of the Republic of Estonia.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) For the purposes of Regulation 1013/2006/EC of the European Parliament and of the Council, the Environmental Board shall be the competent authority.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(3) The transport permit specified in subsection 1 of this section is applied for and the accompanying documents are prepared and transmitted through the environmental decisions information system.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 111. State fee payable upon application for transport permit

The state fee for proceedings relating to an application for a transport permit shall be paid by the applicant pursuant to the procedure provided for in the State Fees Act.

[RT I 2004, 30, 208 – entry into force 01.05.2004]

§ 112. [Repealed – RT I 2007, 19, 94 – entry into force 12.07.2007]

§ 113. Verification of transport permit

(1) A shipment of hazardous waste or waste regulated by an international agreement shall upon import, export or transit be accompanied by a copy of the transport permit and the consignment note.

(1¹) A waste transport operator engaged in transboundary transport or transport between Member States of the European Union must hold an environmental protection permit regardless of whether the transported waste is in the possession thereof or not in accordance with subsection 3 of § 14 of this Act. A waste shipment must be accompanied by an environmental protection permit or a copy thereof which will be submitted, if necessary, to a competent authority or supervision authority.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(2) If a supervision authority has reasonable doubts as to whether the information specified in the consignment note or transport permit corresponds to the waste shipment, the supervision authority shall seize the shipment and notify the competent authority of the circumstances relating to the seizure.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 114. Maintenance of records on granting of hazardous waste transport permits

The Environmental Board shall maintain records on the granting of hazardous waste transport permits and shall preserve a copy of each hazardous waste transport permit granted, a copy of the corresponding application and the documents on the basis of which the permit was granted or refused to be granted for five years.

[RT I 2009, 3, 15 – entry into force 01.02.2009]

§ 114¹. Presentation of information concerning transboundary transport of waste for which transport permit is not required

(1) A person who arranges a transboundary shipment of waste prepares an accompanying document containing information on the shipment of waste specified in Article 18(1) of Regulation (EC) No 1013/2006 of the European Parliament and of the Council which accompanies the shipment of waste and complies with Annex VII to the Regulation through the environmental decisions information system at least one day before commencement of the shipment.

(2) Within two working days after the arrival of waste at the waste management facility where the recovery or disposal operation takes place, the person specified in subsection 1 of this section forwards, through the environmental decisions information system, the accompanying document specified in subsection 1 which has been certified by the recipient of waste.

(3) The recipient of a transboundary shipment of waste in Estonia must submit the accompanying document specified in subsection 1 of this section through the environmental decisions information system within two

working days after the arrival of waste at the waste management facility where the recovery or disposal operation takes place.

[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 115. Procedure for import, export and transit of waste

(1) The formats for the documents for import, export and transit of waste are contained in Annexes IA and IB of Regulation (EC) No 1013/2006 of the European Parliament and of the Council.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(3) The general requirements provided in Article 18 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council apply to the packaging on which deposit has been established in Estonia upon import into the Republic of Estonia if the quantity of the waste shipment exceeds four kilogrammes.

[RT I, 04.04.2012, 2 – entry into force 14.04.2012]

Chapter 10 Maintenance of Records and Reporting

§ 116. Maintenance of records on waste

(1) [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) Persons holding an environmental protection permit and producers of hazardous waste, except households, are required to keep, in adherence to the provisions of subsection 1¹ of § 28 of this Act, regular records of the type, quantity, properties and origin of the waste generated, collected, preserved or stored, transported, treated, recovered or disposed of in the course of their activities, including the quantity and properties of the substances or objects prepared for re-use or recycled. If waste is transferred to other waste handlers, records shall also be kept of the destination, frequency of collection, modes of transport of and recovery and disposal operations regarding the waste.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) The source documents for the records specified in subsection 2 of this section and the consolidated data produced on the basis thereof shall be stored for at least five years.

(4) Environmental supervision agencies and the controller and processor of the environmental decisions information system have the right to have access to source documents for records and to consolidated data.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 117. Reporting on waste

(1) The person specified in subsection 2 of § 116 of this Act submits an annual report on waste to the authority specified in the regulation issued on the basis of this subsection through the environmental decisions information system. The dataset for the report on waste and the procedure for the submission thereof shall be established by a regulation of the minister in charge of the policy sector.

[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(1¹) The obligation to submit reports on waste does not extend to the following persons:

1) persons generating hazardous waste, for whose operation no environmental protection permit is required;

2) brokers registered on the basis of clause 4 of subsection 2 of § 98⁷ of this Act;

3) dealers registered on the basis of clause 5 of subsection 2 of § 98⁷ of this Act;

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

4) operators of a closed landfill holding a waste permit.

[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(2) The Environmental Board has the right to require submission of a report on waste also from:

1) waste producers whose activities do not require an environmental protection permit, but who produce more than 10 tons of non-hazardous waste per year or more than 100 kilograms of hazardous waste per year;

2) the persons specified in clauses 2 and 3 of subsection 1¹ of this section.

[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(2¹) A person other than a producer who receives waste resulting from products of concern from waste holders and recovers or disposes of it is required to submit to the register of products of concern data on the handling of waste resulting from products of concern in accordance with the obligations provided in § 25¹ of this Act and the requirements established on the basis of subsection 3 of § 26.

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2²) If the person specified in subsection 2¹ of this section offers services to a producer of products of concern and submits data to the register of products of concern on their behalf, the obligation of the producer of products of concern to submit data on the handling of waste resulting from products of concern is deemed to be met.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

(3) The minister in charge of the policy sector and environmental supervision agencies have the right to obtain information concerning products produced in or imported into Estonia, the substances used in manufacturing the products, the waste resulting from the products and concerning the handling of the waste from the producers and importers of the products and from governmental authorities and rural municipality and city governments.

(4) Statistical works relating to waste shall be organised pursuant to the procedure provided by the Official Statistics Act.
[RT I 2010, 41, 241 – entry into force 01.08.2010]

(5) A report on waste is intended for internal use.
[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 118. Data processing

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

Chapter 11

STATE AND ADMINISTRATIVE SUPERVISION

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 119. State supervision

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) State supervision (hereinafter *supervision*) over compliance with the requirements arising from this Act shall be exercised by the Environmental Board and local governments or local government agencies.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(2) Supervision over compliance with the requirements provided in § 27 of this Act shall be exercised taking account of the specifications provided for in Regulation (EU) 2019/1020 of the European Parliament and of the Council.
[RT I, 22.10.2021, 3 – entry into force 01.11.2021]

(2¹) Supervision over compliance with the requirements provided in § 29¹ of this Act shall be exercised by local governments or local government agencies.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(3) [Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4) Local governments shall exercise constant supervision over compliance with the local government waste management rules within their administrative territories.

(5) In addition to the Environmental Board, supervision over compliance with the requirements of § 27 of this Act shall be exercised by the Consumer Protection and Technical Regulatory Authority and the Tax and Customs Board.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(6) In addition to the Environmental Board, supervision over compliance with the requirements of §§ 108 and 103 of this Act shall be exercised by the Tax and Customs Board.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(7) Supervision over compliance with the requirements of subsection 4 of § 25 and § 26⁸ of this Act shall be exercised by the Consumer Protection and Technical Regulatory Authority.
[RT I, 12.12.2018, 3 – entry into force 01.01.2019]

(8) In addition to the Environmental Board, supervision over compliance with the requirements of § 27² of this Act shall be exercised by the Consumer Protection and Technical Regulatory Authority.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(9) Supervision over compliance with the requirements of § 27², subsection 1 of § 27³ and §§ 27⁴ and 27⁶ of this Act shall be exercised by the Rescue Board.

(9¹) Supervision over compliance with the requirements provided in subsection 1 of § 21¹ of this Act shall be exercised pursuant to the provisions of Subchapter 2 of Chapter 4 of the Chemicals Act.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(9²) Supervision over compliance with the requirements of Chapter VIII of Regulation (EU) 2023/1542 of the European Parliament and of the Council concerning batteries and waste batteries is exercised by the Environmental Board.
[RT I, 03.12.2025, 1 – entry into force 13.12.2025]

(10) Supervision over compliance of the activities relating to waste of persons holding a waste permit, persons registered with the Environmental Board and persons generating hazardous waste shall be exercised regularly.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(11) Local governments or local government agencies are required to exercise supervision over the acceptance of return and collection of products of concern or waste resulting from these on their administrative territory.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 119¹. Special state supervision measures

Law enforcement authorities may apply the special state supervision measures provided in §§ 30, 31, 32, 34, 45, 46, 49, 50, 51, 52 and 53 of the Law Enforcement Act upon exercising the state supervision provided in this Act on the basis of and pursuant to the procedure provided by the Law Enforcement Act.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 119². Specifications concerning state supervision

(1) For the purposes of supervision, officials of law enforcement authorities may stay in and drive vehicles, including off-road vehicles or floating vessels, in land or water areas where staying and movement is prohibited or restricted by legislation for the purpose of environment protection.

(2) The Environmental Board is obliged to inspect the compliance with waste management conditions determined by the waste permit of operators of extractive waste facilities of Category A at least once annually.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(3) The Environmental Board is obliged to inspect the compliance of the activities of producers' responsibility organisations with the requirements provided by the Waste Act at least once annually.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(4) If the special state supervision measures provided for in § 119¹ of this Act do not enable or make it especially complicated to conduct supervision over compliance with the requirements provided for in §§ 105 and 107 of this Act, but it is necessary for the purpose of preventing, ascertaining or averting serious or material danger or elimination of a violation, the Environmental Board may, as a special state supervision measure, make a transaction for the purpose of monitoring compliance. The making of a transaction for the purpose of monitoring compliance shall be decided by the Director General of the Environmental Board or an official authorised thereby.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(5) A transaction for the purpose of monitoring compliance is an act with the features of a civil law sales contract or another transaction under the law of obligations the purpose of making of which is to monitor compliance with the requirements established by the legislation. Upon making a transaction for the purpose of monitoring compliance, the official making it may hide the purpose of making the transaction from the person in respect of whom the transaction for the purpose of monitoring compliance is made and from other persons. An official making a transaction for the purpose of monitoring compliance need not introduce himself or herself upon making the transaction and need not carry a uniform; the official is under no obligation to present his or her professional certificate prior to achievement of the purpose of making the transaction for the purpose of monitoring compliance. Upon making a transaction for the purpose of monitoring compliance, it is prohibited to conduct surveillance activities, abet a person to commit an offence or commit an act with elements of an offence, it is also prohibited to use a person recruited for secret cooperation for ensuring the making of a transaction for the purpose of monitoring compliance, simulate a legal person, use an undercover agent or covert measures within the meaning of §§ 7⁵¹ and 7⁵⁴–757 of the Police and Border Guard Act.
[RT I, 06.03.2015, 23 – entry into force 16.03.2015]

(6) The Environmental Board shall notify the person in respect of whom the transaction for the purpose of monitoring compliance was made, immediately after achievement of the purpose of making the transaction for the purpose of monitoring compliance, of the fact that a transaction for the purpose of monitoring compliance has been applied to the person. The Environmental Board may, by a written reasoned decision, postpone the notification of the person in respect of whom the transaction for the purpose of monitoring compliance was

made if this is indispensable for continuation of supervision related to the activities of the same person or for monitoring by other persons of compliance with the requirements imposed on the making of such transactions. Notification of the person in respect of whom the transaction for the purpose of monitoring compliance was made shall not be postponed for more than three months starting from the day of making the transaction.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(7) The making of a transaction for the purpose of monitoring compliance shall be recorded in the minutes pursuant to the procedure provided for in § 12 of the Law Enforcement Act. The minutes of the transaction for the purpose of monitoring compliance shall additionally set out the decision that served as a basis for the transaction for the purpose of monitoring compliance, officials who have participated in the transaction for the purpose of monitoring compliance and the person in respect of whom the transaction for the purpose of monitoring compliance was made as well as other participants in the proceedings and recruited persons, testimony by the officials concerning the circumstances and results of the transaction for the purpose of monitoring compliance, the description of things and documents transferred or received as a result of the transaction for the purpose of monitoring compliance and testimony, statements and opinions by other participants in the proceedings and persons recruited in the proceedings. If notification of the person in respect of whom the transaction for the purpose of monitoring compliance was made is postponed on the basis of and pursuant to the procedure provided for in subsection 6 of this section, a reference shall be made in the minutes of the transaction for the purpose of monitoring compliance to the decision on postponement. The minutes shall be served on the person in respect of whom the transaction for the purpose of monitoring compliance was made.
[RT I, 06.03.2015, 23 – entry into force 16.03.2015]

(8) A transaction made in the course of a transaction for the purpose of monitoring compliance is void.
[RT I, 06.03.2015, 23 – entry into force 16.03.2015]

(9) Law enforcement authorities have the right to make measurements, take samples or order expert analyses and record the situation with an image or sound recorder in the course of state supervision. The costs of expert analyses shall be borne by the law enforcement authority. If it appears from the results of the samples or measuring or expert analyses that the possession or the use of the possession does not comply with the requirements of the Act or the legislation established on the basis thereof and the possessor was or should have been aware thereof, the law enforcement authority may demand compensation for the justified and documented expenses for the taking of samples, making of measurements or expert analyses from the possessor.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 119³. Non-compliance levy rate

Upon failure to comply with a precept, the upper limit of non-compliance levy pursuant to the procedure provided for in the Substitutional Performance and Non-Compliance Levies Act is 32,000 euros.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 119⁴. Use of direct coercion

The Environmental Board is permitted to use physical force on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

§ 119⁵. Specification concerning supervision upon transport of used electrical and electronic equipment

A supervisory authority may collect the costs of due analysis and inspection of used electrical and electronic equipment considered as waste electronic and electrical equipment, including the costs of storage, from the producer, a third person acting on behalf thereof or other persons who organise the consigning of such used electrical and electronic equipment which is thought to be waste electrical and electronic equipment.
[RT I, 08.07.2014, 13 – entry into force 18.07.2014]

§ 119⁶. Audit for purposes of supervision

(1) The Environmental Board may require an audit at the expense of a producer or a producers' responsibility organisation the purpose of which is to provide an assessment about:

- 1) existence of sufficient funds for financing the obligations provided in subsection 1 of § 25¹ of this Act;
- 2) compliance with the requirements for calculation of waste handling service charges for producers in accordance with subsection 4¹ of § 23 of this Act;
- 3) correctness of data submitted to the register of products of concern;
- 4) correctness of data collected about waste shipments pursuant to Regulation (EC) No 1013/2006.

(2) The audit specified in subsection 1 of this section shall be carried out by a sworn auditor as a limited assurance engagement within the meaning of the Auditors Activities Act.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 119⁷. Administrative supervision

(1) Administrative supervision over the legality of compliance with the obligation to attain the separate collection target for municipal waste imposed on a local authority by this Act and legislation established on the basis thereof is exercised by the Environmental Board (hereinafter *administrative supervisory authority*).

(2) The objective of administrative supervision is to verify the attainment of the separate collection target for municipal waste.

(3) A local government's report on attainment of the separate collection target for municipal waste is disclosed annually through the environmental portal.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 119⁸. Competence of administrative supervisory authority

(1) The administrative supervisory authority has the right to:

- 1) examine, and obtain copies of, the evidence and information at the disposal of the local authority which enable to ascertain the facts of relevance for the performance of the functions of the administrative supervisory authority;
- 2) obtain explanations from a directing body of the local authority;
- 3) receive information from the local authority concerning the implementation of legislation and the application of the earmarked funds allocated for waste management;
- 4) make proposals to the local authority in order to improve the activities thereof;
- 5) issue precepts to the local authority in the event of failure to attain the target provided in subsection 5 of § 136³ of this Act.

(2) A sample for administrative supervision is selected from among all local authorities on the basis of the principle of monitoring the compliance with the obligation provided in subsection 5 of § 136³ of this Act.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 119⁹. Precept

(1) A precept specified in clause 5 of subsection 1 of § 119⁸ of this Act must contain the following information:

- 1) the person to whom the precept is issued;
- 2) the basis for issue of the precept together with a reference to the relevant provisions of the legislation;
- 3) the obligation to perform acts necessary for the prevention or termination of an offence;
- 4) the date of issue of the precept;
- 5) the term for compliance with the precept;
- 6) a warning that a non-compliance levy may be imposed in the event of failure to comply with the obligation;
- 7) the name, position and signature of the official who exercised administrative supervision;
- 8) the possibilities, term and rules of contesting the precept.

(2) In the event of failure to comply with a precept, the maximum amount of a non-compliance levy imposed in accordance with the rules provided in the Substitutional Performance and Non-Compliance Levies Act is 9,600 euros.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

Chapter 12 Liability

§ 120. Violation of requirements for prevention of waste generation, for waste management or keeping record of waste

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Violation of the requirements for the prevention of waste generation or for waste management, including the obligation to deliver or the requirements for delivery of waste, or for keeping a record of waste is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 100,000 euros.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 120¹. Violation of requirements for handling waste

(1) Handling of waste without a waste permit, if a permit is required, or in violation of the requirements of the permit is punishable by a fine of up to 300 fine units.
[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 400,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 120². Handling of waste without registration or in violation of requirements of registration

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Handling of waste without a registration or in violation of the requirements of the registration is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 200,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 120³. Handling of hazardous waste without management licence or in violation of requirements of licence

[Repealed – RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 120⁴. Transport of waste without consignment note for waste transport and in violation of requirements of consignment note for waste transport

(1) Transport of non-hazardous waste without a consignment note for waste transport if a consignment note for waste transport is required or in violation of the requirements of the consignment note for waste transport is punishable by a fine of up to 200 fine units.
[RT I, 18.03.2026, 3 – entry into force 19.03.2026]

(2) The same act, where committed by a legal person, is punishable by a fine of up to 100,000 euros.

(3) Transport of hazardous waste without a consignment note for waste transport if a consignment note for waste transport is required or in violation of the requirements of the consignment note for waste transport is punishable by a fine of up to 300 fine units.
[RT I, 18.03.2026, 3 – entry into force 19.03.2026]

(4) The same act, where committed by a legal person, is punishable by a fine of up to 200,000 euros.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 120⁵. Violation of requirements for transboundary movement of waste

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Violation of the requirements for transboundary movement of waste is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 400,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 120⁶. Failure to submit waste report and violation of procedure for keeping record of waste

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 120⁷. Violation of requirements of local government waste management rules

(1) Violation of the waste management requirements provided by local government waste management rules is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 20,000 euros.
[RT I 2010, 44, 260 – entry into force 01.01.2011]

§ 121. Violation of procedure for establishment, utilisation or closure of waste management facilities or extractive waste facilities

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 122. Placing of prohibited products on market

(1) Placing of prohibited products on the market is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 200,000 euros.
[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 123. Transboundary movement of hazardous waste or other waste subject to international control without corresponding permit

[Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 124. Violation of obligation to accept return, collect, recover or dispose of waste resulting from products of concern

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Violation of the obligation to accept the return, collect, recover, including achieve recovery targets, or dispose of waste resulting from products of concern is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 200,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 124¹. Non-performance of registration obligation by producer of products of concern or failure to designate authorised representative of producer

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 124². Submission of incorrect data to register of products of concern

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 124³. Failure to submit data to register of products of concern

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 124⁴. Violation of requirements for marking of products of concern

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 124⁵. Violation of restriction on receiving or buying up products of concern or components separated from products of concern

[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(1) Violation of the restriction on receiving or buying up products of concern or components separated from products of concern is punishable by a fine of up to 300 fine units.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 200,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 124⁶. Failure by producer to organise required notification of users of products of concern and required information campaign

(1) Failure by producer to organise required notification of users of products of concern or to organise required information campaign

is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,
is punishable by a fine of up to 200,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 125. Transfer of waste for handling to person without waste permit

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126. Violation of requirements for sorting mixed municipal waste or conditions for depositing waste or depositing of waste which depositing is prohibited

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Violation of the requirements for sorting mixed municipal waste or the conditions for depositing waste, or the depositing of waste which depositing is prohibited
is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,
is punishable by a fine of up to 400,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126¹. Violation of requirements for sorting mixed municipal waste and depositing conditions

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126². Violation of special conditions for handling hazardous waste

(1) Violation of the special conditions for handling hazardous waste, including the requirements for packaging and marking,
is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,
is punishable by a fine of up to 400,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126³. Violation of requirements for packaging and labelling hazardous waste

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126⁴. Incineration of waste and introduction of waste into environment outside of waste management facilities

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Incineration of waste or introduction of waste into the environment outside of waste management facilities, including incineration of waste on board ships,
is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,
is punishable by a fine of up to 400,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126⁵. Violation of special conditions for collection of waste metal

(1) Violation of the restrictions on buying up waste metal, the obligation to document a buying-up or the prohibition on cash settlement
is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,
is punishable by a fine of up to 400,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126⁶. Waste disposal at place not complying with environmental protection requirements

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126⁷. Violation of requirements for transport of waste

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126⁸. Violation of requirements for maintenance of records on products of concern and waste resulting therefrom and failure to implement self-checking system

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Violation of the requirements for maintenance of records on products of concern and waste resulting therefrom or failure to implement a self-checking system is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 100,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126⁹. Failure to comply with control requirements

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126¹⁰. Violation of special requirements for extractive waste management and requirements of extractive waste management plan

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) Violation of the special requirements for extractive waste management, including the requirements of avoiding major accidents and notification thereof, or the requirements provided in the extractive waste management plan is punishable by a fine of 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 300,000 euros.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 126¹¹. Violation of requirements for prevention of and reporting on major accidents

[Repealed – RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 127. Proceedings

(1) Extra-judicial proceedings concerning the misdemeanours provided for in §§ 120–120², 120⁴, 120⁵, 122, 124, 124⁵, 124⁶, 126, 126², 126⁴, 126⁵, 126⁸ and 126¹⁰ of this Act are conducted by the Environmental Board.

(2) Extra-judicial proceedings concerning the misdemeanours provided for in § 120⁷ of this Act are conducted by the rural municipality or city government.

(3) Extra-judicial proceedings concerning the misdemeanours provided for in §§ 120, 120¹, 120², 126 and 126⁴ of this Act are also conducted by the rural municipality or city government.

(4) Extra-judicial proceedings concerning the misdemeanour provided for in § 126⁵ of this Act are also conducted by the Police and Border Guard Board.

(5) Extra-judicial proceedings concerning the misdemeanours provided for in §§ 120⁴, 120⁵ and 122 of this Act are also conducted by the Tax and Customs Board.

(6) Extra-judicial proceedings concerning the misdemeanours provided for in §§ 122 and 124⁶ of this Act are also conducted by the Consumer Protection and Technical Regulatory Authority.

(7) Extra-judicial proceedings concerning the misdemeanour provided for in § 126¹⁰ of this Act are also conducted by the Rescue Board.

(8) The limitation period for the misdemeanour specified in § 124 of this Act is four years.
[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 128. Waste management and remedy of effects of environmental pollution caused by waste

(1) Damages related to the release of waste into the environment and to the pollution created by waste, including the costs related to waste management and to the remedy of the effects of environmental pollution caused by waste shall be covered by the person who released the waste into the environment (hereinafter polluter).

(2) Waste which is released into the environment unlawfully shall be handled and the remedy of the effects of pollution caused thereby shall be organised by the polluter at the expense of the polluter.

(3) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(4) If it appears in misdemeanour or administrative proceedings that the polluter cannot be established, and also if, based on environmental protection considerations, the waste must be removed and the effects of pollution must be remedied without delay, then the handling of the waste and remedy of the effects of pollution shall be organised, based on a precept of the environmental supervision agency, local government or local government agency, by the landowner on whose land the waste or pollution is located.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(4¹) If the waste or the polluter specified in subsection 4 of this section is an end-of-life vehicle, the landowner is required, based on a precept issued by the Environmental Board, a local authority or its agency, transfer the end-of-life vehicle to a waste handler specified in subsection 1 of section 26³ of this Act who issues a certificate of destruction to the transferor.

[RT I, 31.12.2024, 1 – entry into force 01.01.2025]

(4²) The transfer of an end-of-life vehicle located on municipal or state land to a waste handler is organised by the local authority of the administrative territory or the Environmental Board, respectively.

[RT I, 31.12.2024, 1 – entry into force 01.01.2025]

(5) In the case specified in subsection 4 of this section, the Environmental Board has the obligation to organise the waste management and remedy of the effects of pollution before the land specified in subsection 2 of § 31 of the Land Reform Act is retained in state ownership, transferred into municipal ownership, restituted or privatised pursuant to the Land Reform Act.

[RT I 2009, 3, 15 – entry into force 01.02.2009]

(6) If a local government has failed to establish organised waste transport within its administrative territory, although it has such obligation, or if, according to the data of the register provided in § 71¹ of this Act, more than 2 per cent of the waste holders are outside the system for collecting household waste, such local government shall cover the costs of removal of non-hazardous waste and pollution caused thereby.

[RT I 2010, 44, 260 – entry into force 19.07.2010]

(7) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 129. Failure to perform act essential for environmental safety

(1) For the purposes of this Act, an act essential for environmental safety means:

- 1) aftercare of waste management facilities;
- 2) gathering, recovery or disposal of waste resulting from products of concern;
- 3) treatment of waste before its deposit in a landfill;
- 4) closure of a landfill which fails to comply with the requirements.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

(3) [Repealed – RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 129¹. Confiscation

The Environmental Board or a court may, pursuant to § 83 of the Penal Code, apply confiscation in respect of the object used to commit the misdemeanour provided in §§ 120, 120¹, 120³–120⁵, 122, 124⁵, 126² or 126⁵ of this Act or in respect of the waste or products which were the direct object of such misdemeanour.

[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

Chapter 13

Implementing Provisions

§ 130. Omitted from this text

§ 131. Time limits for bringing existing lawful landfills into compliance with requirements

(1) Landfills shall meet the established requirements by 16 July 2009 or shall be closed for waste deposit by the same time.

(2) Landfills closed for waste deposit by 16 July 2009 shall be conditioned in accordance with the requirements not later than by 31 December 2015.

[RT I, 14.06.2013, 4 – entry into force 24.06.2013]

§ 132. Application of requirement of sorting of municipal waste

(1) Taking account of the principle of proximity, the prohibition provided for in § 35 of this Act on acceptance and deposit of unsorted municipal waste in landfills until 1 January 2008 only applies to these landfills which are located in a county where a waste management facility for the treatment of municipal waste has been established.

(2) The authority issuing waste permits has the right to release a landfill from compliance with the prohibition on acceptance and deposit of unsorted municipal waste by a waste permit until 16 July 2004 in exceptional circumstances on the basis of a reasoned application of the landfill.

(3) As of 1 January 2008, the prohibition on acceptance and deposit of unsorted municipal waste applies to all landfills.

§ 133. Depositing of used tyres

(1) [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

(2) As of 16 July 2006, landfills shall not receive used tyres which have been shredded, except for bicycle tyres and tyres with an outside diameter above 1400 mm.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

(3) [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

(4) [Repealed – RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 134. Limitations on deposited waste

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(1) The percentage of biodegradable waste in the total quantity of municipal waste deposited in a landfill shall not exceed:

- 1) 45 per cent by weight by 16 July 2010;
- 2) 30 per cent by weight by 16 July 2013;
- 3) 20 per cent by weight by 16 July 2020.

(2) As of 1 January 2030 it shall be prohibited to deposit in a landfill waste suitable for recycling or other recovery, in particular municipal waste, except for waste which depositing in a landfill delivers the best environmental outcome in accordance with subsection 1 of § 22¹ of this Act.

(3) As of 1 January 2035 the quantity of municipal waste deposited in a landfill shall not exceed 10 per cent by weight of the total quantity of municipal waste generated in the same year.

(4) The procedure for calculation of the target provided in subsection 3 of this section shall be established by a regulation of the minister in charge of the policy sector, taking account of the provisions of Article 5a of Council Directive 1999/31/EC on the landfill of waste (OJ L 182, 16.7.1999, p. 1–19).

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 135. Arranging for organised waste transport

(1) Organised waste transport shall be arranged for as of 1 January 2005.

(2) The obligation to arrange for organised waste transport within the meaning of §§ 66-69 of this Act does not apply to a local government if fewer than 1500 persons live in its administrative territory.

(2¹) [Repealed – RT I, 23.10.2018, 1 – entry into force 30.10.2018]

(3) For the purposes of §§ 66–69 of this Act, owners or possessors of summer houses, structures used as dwellings or business premises, or apartments which are movables are also deemed to be waste holders.
[RT I 2010, 44, 260 – entry into force 19.07.2010]

(4) Waste holders whom a rural municipality or city government has considered not to have subscribed to organised waste transport for a set term shall organise waste handling themselves until the expiry of the term set by the rural municipality or city government.
[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 135¹. Implementation of requirements for extractive waste management

(1) All extractive waste facilities to which a permit has been granted or which operated on 1 May 2008 must comply with the provisions of this Act regulating extractive waste by 1 May 2012, except for the provisions of § 35³ of this Act, which are applied from 1 May 2014.

(2) Subsection 1 of this section does not apply to extractive waste facilities which were closed before 1 May 2008.

(3) An extractive waste management plan is required after entry into force of subsection 4 of § 39 and § 42¹ of this Act upon submission of an application for a respective permit.
[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

(4) § 35³, subsection 4 of § 39, § 42¹, clause 8 of subsection 2 of § 73 and § 94¹ of this Act do not apply to such extractive waste facilities where the acceptance of waste was terminated before 1 May 2006 or which are completing their closing procedures in conformity with the current legislation and are closed no later than by 31 December 2010.
[RT I 2010, 44, 260 – entry into force 19.07.2010]

§ 136. Validity of waste permits

(1) Waste permits granted before the entry into force of this Act are valid in so far as they are not in conflict with this Act. The administrative authority which has granted a waste permit before the entry into force of this Act may revoke the permit if the administrative authority would have had the right not to issue the administrative act due to subsequently changed factual circumstances or on the basis of a subsequently amended rule of law, and public interest outweighs the certainty of the person that the administrative act remains in force.

(2) A waste permit for waste transport granted before the entry into force of this Act remains valid in such parts of the administrative territory of a local government which is not covered by organised waste transport within the meaning of §§ 66–69 of this Act.

§ 136¹. Validity of hazardous waste management licences

Hazardous waste management licences which have been granted

- 1) in 1999, shall expire on 1 June 2007;
- 2) in 2000, shall expire on 1 January 2008;
- 3) in 2001, shall expire on 1 June 2008;
- 4) in 2002, shall expire on 1 January 2009;
- 5) in 2003, shall expire on 1 June 2009;
- 6) in 2004, shall expire on 1 January 2010;
- 7) in 2005, shall expire on 1 June 2010;
- 8) in 2006, shall expire on 1 June 2011;
- 9) in 2007 before the entry into force of this Act, shall expire on 1 June 2011.

[RT I 2007, 19, 94 – entry into force 11.03.2007]

§ 136². Effective dates for implementation of prohibition on use of equipment containing polychlorinated biphenyls and polychlorinated terphenyls

Subsection 1¹ of § 27¹ of this Act enters into force on 1 January 2011.
[RT I, 17.12.2010, 21 – entry into force 27.12.2010]

§ 136³. Separate collection and recovery targets for waste

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(1) As of 1 January 2020 waste shall be recovered as follows:

1) paper, metal, plastic and glass waste originating from households and, if possible, similar waste originating from other sources, by way of preparation for re-use or recycling – at least to the extent of 50 per cent of the total weight of such waste per calendar year;

2) construction and destruction waste, except for such natural substances as stones and soil as well as stones and soil containing hazardous substances, by way of preparation for re-use, recycling, or recovery in another manner, including for backfilling instead of other substances – at least to the extent of 70 per cent of the total weight of such waste per calendar year.

(2) Municipal waste shall be prepared for re-use and recycled as follows:

1) from 1 January 2025 – at least 55 per cent of the total weight of such waste per calendar year;

2) from 1 January 2030 – at least 60 per cent of the total weight of such waste per calendar year;

3) from 1 January 2035 – at least 65 per cent of the total weight of such waste per calendar year.

(3) Calculation of the targets provided in subsection 1 of this section shall take account of the Commission Decision 2011/753/EU establishing rules and calculation methods for verifying compliance with the targets set in Article 11(2) of Directive 2008/98/EC of the European Parliament and of the Council (OJ L 310, 25.11.2011, p. 11–16).

(4) The procedure for calculation of the targets provided in subsection 2 of this section shall be established by a regulation of the minister in charge of the policy sector, taking account of the provisions of Article 11a of the European Parliament and Council Directive 2008/98/EC.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(5) In 2027, a local authority ensures separate collection of at least 67 per cent of municipal waste generated in its territory during a calendar year. This percentage rate is increased each subsequent year by one percentage point from the base rate of the previous year, until reaching 75% from 2035.

RT I, 07.01.2026, 4 – entry into force 17.01.2026]

(6) The rules for calculation of the target provided in subsection 5 of this section, collection of data thereon and disclosure thereof are established by a regulation of the minister in charge of the policy sector, taking account of the provisions of Article 11a of Directive 2008/98/EC of the European Parliament and of the Council.

[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 136⁴. Adoption of waste prevention programme

A waste prevention programme shall be approved by a regulation of the Government of the Republic no later than by 12 December 2013.

[RT I, 09.11.2011, 1 – entry into force 10.11.2011]

§ 136⁵. Implementation of requirements applicable to producers of agricultural plastic

The requirements contained in § 26, subsection 1¹ of § 26¹ and § 26⁸ of this Act apply to producers of agricultural plastic from 1 January 2013.

[RT I, 04.04.2012, 2 – entry into force 14.04.2012]

§ 136⁶. Validity of contracts for organised waste transport

Contracts entered into for the purpose of implementation of subsection 11 of § 66 of this Act in the wording in force until 1 October 2014 shall be effective until their expiry.

[RT I, 08.07.2014, 2 – entry into force 07.01.2015, in accordance with clause 53 of Judgment No. 3-4-1-34-14 of Constitutional Review Chamber of Supreme Court of 6 January 2015 (RT I, 06.01.2015, 21): "In the current constitutional review matter on the basis of § 12 of the Constitutional Review Court Procedure Act the Supreme Court suspended the entry into force of the Waste Act Amendment Act (RT I, 08.07.2014, 2) until entry into force of Judgment of the Supreme Court (Ruling of Constitutional Review Chamber of Supreme Court of 25 September 2014 in matter No. 3-4-1-34-14). This Judgment of the Supreme Court enters into force in conformity with subsection 2 of § 58 of the Constitutional Review Court Procedure Act upon pronouncement on 6 January 2015. Thus, the Waste Act Amendment Act (RT I, 08.07.2014, 2) enters into force on 7 January 2015."]

§ 136⁷. Frequency of waste transport

Concession agreements for organised waste transport entered into before 1 October 2014 shall be effective until their expiry, with the frequency of waste transport prescribed in the agreements.

[RT I, 08.07.2014, 2 – entry into force 07.01.2015, in accordance with clause 53 of Judgment No. 3-4-1-34-14 of Constitutional Review Chamber of Supreme Court of 6 January 2015 (RT I, 06.01.2015, 21): "In the current constitutional review matter on the basis of § 12 of the Constitutional Review Court Procedure Act the Supreme Court suspended the entry into force of the Waste Act Amendment Act (RT I, 08.07.2014, 2) until entry into force of Judgment of the Supreme Court (Ruling of Constitutional Review Chamber of Supreme Court of 25 September 2014 in matter No. 3-4-1-34-14). This Judgment of the Supreme Court enters into force in conformity with subsection 2 of § 58 of the Constitutional Review Court Procedure Act upon pronouncement

on 6 January 2015. Thus, the Waste Act Amendment Act (RT I, 08.07.2014, 2) enters into force on 7 January 2015."]

§ 136⁸. Implementation of subsection 1¹ of § 66 of Waste Act

Unfinished public procurement proceedings and proceedings for contracts for the purpose of implementation of subsection 1¹ of § 66 of this Act in the wording in force until 1 October 2014 shall be completed and the contracts entered into in such proceedings shall be effective until their expiry.
[RT I, 08.07.2014, 2 – entry into force 07.01.2015, in accordance with clause 53 of Judgment No. 3-4-1-34-14 of Constitutional Review Chamber of Supreme Court of 6 January 2015 (RT I, 06.01.2015, 21): "In the current constitutional review matter on the basis of § 12 of the Constitutional Review Court Procedure Act the Supreme Court suspended the entry into force of the Waste Act Amendment Act (RT I, 08.07.2014, 2) until entry into force of Judgment of the Supreme Court (Ruling of Constitutional Review Chamber of Supreme Court of 25 September 2014 in matter No. 3-4-1-34-14). This Judgment of the Supreme Court enters into force in conformity with subsection 2 of § 58 of the Constitutional Review Court Procedure Act upon pronouncement on 6 January 2015. Thus, the Waste Act Amendment Act (RT I, 08.07.2014, 2) enters into force on 7 January 2015."]

§ 136⁹. Publication of inspection plans for control of transboundary movement of waste

The inspection plans specified in subsection 1 of § 108¹ of this Act shall be published on 1 January 2017 at the latest.

[RT I, 25.11.2016, 2 – entry into force 05.12.2016]

§ 136¹⁰. Validity of waste permits, registration certificates and hazardous waste management licences granted before 1 January 2020 and termination of pending proceedings relating to applications

(1) Waste permits, registration certificates and hazardous waste management licences granted for a specified term before 1 January 2020 shall remain valid until the amendment or revocation thereof or expiry of the period of validity indicated therein.

(2) Proceedings relating to applications submitted before 1 January 2020 for waste permits or registration certificates shall take place in accordance with the provisions of this Act.

(3) Proceedings relating to applications for hazardous waste management licences submitted before 1 January 2020 shall continue as proceedings relating to applications for amendment of waste permits or applications for new waste permits.

[RT I, 21.12.2019, 1 – entry into force 01.01.2020]

§ 136¹¹. Termination of public procurement proceedings for organised waste transport, proceedings for establishment and amendment of local government waste management plan and for establishment and amendment of local government waste management rules initiated before entry into force of this section

(1) The rules of law which were in force before entry into force of this section apply to public procurement proceedings for organised waste transport initiated before entry into force of this section.

(2) The rules of law which were in force before entry into force of this section apply to the proceedings for establishment and amendment of a local government waste management plan initiated before entry into force of this section.

(3) The rules of law which were in force before entry into force of this section apply to the proceedings for establishment and amendment of local government waste management rules initiated before entry into force of this section.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 136¹². Implementation of separate collection of bio-waste at source or recycling at source

Local governments must bring separate collection of bio-waste at source or recycling at source into harmony with the provisions of subsection 4 of § 31 of this Act as of any new procurement for organised waste transport but not later than by 31 December 2023.

[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 136¹³. Implementation of amendments of waste management plan and waste management rules of local governments

(1) Local governments must bring the waste management plan and waste management rules into harmony with the provisions of subsections 1, 3, 4 and 6 of § 31, subsection 3 of § 42, § 43 and clauses 1¹, 7, 8 and 11 of subsection 2 of § 71 of this Act as of amendment or establishment of a new waste management plan or waste management rules but not later than by 31 December 2023.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

(2) A local authority must bring its waste management plan and waste management rules into harmony with the provisions of § 42 and subsection 2 of § 71 of this Act as of amendment or re-establishment of the waste management plan or waste management rules but not later than by 31 December 2030.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 136¹⁴. Implementation of separate collection of textile waste

Local governments must bring separate collection of textile waste into harmony with the provisions of subsection 3 of § 31 of this Act no later than by 1 January 2025.
[RT I, 05.05.2021, 1 – entry into force 15.05.2021]

§ 136¹⁵. Implementation of specifications concerning obligations of extended producer responsibility

(1) The obligation of extended producer responsibility provided in § 23¹ and subsections 1–4 of § 251 of this Act applies to the producers specified in subsections 1¹⁰–1¹² of § 23 from 31 December 2024.

(2) The obligation of extended producer responsibility provided in § 23¹ and subsections 1–4 of § 251 of this Act applies to the producers specified in subsection 1¹³ of § 23 from 1 January 2024.

(3) The obligation of covering the costs related to certain single-use products containing plastic provided in § 25² of this Act applies to the producers specified in subsections 1¹¹ and 1¹² of § 23 from 31 December 2024.

(4) The obligation of covering the costs related to certain single-use products containing plastic provided in § 25² of this Act applies to the producers specified in subsection 1¹³ of § 23 from 1 January 2024.

(5) The obligation of covering the costs incurred upon the collection and return to the producer of waste fishing gear containing plastic provided in subsection 1 of § 26²¹ of this Act applies to the producers specified in subsection 1¹⁰ of § 23 from 31 December 2024.

(6) The obligations of informing users of products of concern and organising information campaigns provided in § 26⁸ of this Act applies to the producers specified in subsections 1¹⁰–1¹² of § 23 from 31 December 2024.

(7) The obligations of informing users of products of concern and organising information campaigns applies to the producers specified in subsection 1¹³ of § 23 of this Act from 1 January 2024.
[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 136¹⁶. Implementation of specifications concerning registration in register of products of concern and submitting data to register of products of concern

(1) The obligations of registration in the register of products of concern and submitting data to the register of products of concern provided in subsection 1¹ of § 26¹ of this Act apply to the producers specified in subsections 1¹⁰–1¹² of § 23 of this Act from 31 December 2024.

(2) The obligations of registration in the register of products of concern and submitting data to the register of products of concern provided in subsection 1¹ of § 26¹ of this Act apply to the producers specified in subsection 1¹³ of § 23 from 1 January 2024.
[RT I, 07.03.2023, 1 – entry into force 01.05.2023]

§ 136¹⁷. Termination of proceedings relating to applications for obtaining waste permit for generation of waste and tailings from extraction and treatment of mineral resources accepted before 1 April 2023

The wording of this Act which entered into force on 1 April 2023 applies to the proceedings relating to the applications for obtaining a waste permit for the generation of waste and tailings from the extraction and treatment of mineral resources which were accepted before 1 April 2023.
[RT I, 17.03.2023, 3 – entry into force 01.04.2023]

§ 136¹⁸. Implementation of extended producer responsibility to producers of tyres

The obligation of extended producer responsibility provided in § 23¹ and subsections 1–4 of § 25¹ of this Act applies to the producers specified in subsection 1⁵ of § 23 from 1 July 2025.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 136¹⁹. Implementation of obligation to appoint authorised representative

The obligation provided in subsection 1⁷ of § 26 of this Act applies to the producers specified in subsection 1² and subsections 1⁵–1⁷ of § 23 from 1 July 2025.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 136²⁰. Implementation of exemption from obligation to have waste storage security

The exemption from the obligation to have a waste storage security specified in clause 4 of subsection 5 of § 98³ of this Act on the basis of a written contract is applied from 1 July 2025.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 136²¹. Implementation of limitation period

The limitation period provided in subsection 5 of § 127 of this Act applies to proceedings commenced on or after 1 July 2025.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 136²². Ex-post evaluation of limitation period of misdemeanour of obligation to accept return, collect, recover or dispose of waste resulting from products of concern

The Ministry of Climate analyses the achievement of the objective of the limitation period of the misdemeanour specified in subsection 5 of § 127 of this Act and the impact of its implementation by 31 December 2029.
[RT I, 31.12.2024, 2 – entry into force 10.01.2025]

§ 136²³. Implementation of exemption from separate collection of bio-waste at source based on application

Exemptions from separate collection of bio-waste at source granted before 1 September 2025 and entered in the register of waste holders continue to be valid in the manner determined by the local authority. Where recycling of bio-waste at source takes place but an exemption from separate collection of bio-waste at source has not been granted on the basis of an application and has not been entered in the register of waste holders, the local authority must organise the grant of an exemption from separate collection of bio-waste at source pursuant to subsections 4¹–4³ of § 31 of this Act not later than by 1 September 2026.
[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 136²⁴. Implementation of exemption from separate collection of bio-waste at source based on application

(1) The registrations of waste handlers granted for a specified term before 1 September 2025 are valid until the date of amendment or revocation thereof or until the expiry specified therein.

(2) Proceedings relating to applications for registration of waste handlers submitted before 1 September 2025 are conducted in accordance with the provisions of this Act.
[RT I, 08.07.2025, 55 – entry into force 01.09.2025]

§ 136²⁵. Implementation of material-based collection of paper and cardboard waste

A local authority must bring the organisation of the collection of paper and cardboard waste into compliance with the provisions of subsection 3¹ of § 31 of this Act as of the new ordering of organised waste transport, but not later than by 31 December 2030.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 136²⁶. Implementation of service fee for alternative organised waste transport

(1) In the first year of the implementation of organised waste transport specified in subsection 1 of § 66¹ of this Act, the waste transport service fee for a waste holder who has been exempted from the obligation to subscribe to organised waste transport pursuant to subsections 2¹, 4 and 4¹ of § 69 is up to one euro per calendar month.

(2) In the first year of the implementation of the waste transport service fee specified in subsection 1 of § 66⁸ of this Act, the amount of the fee imposed on a waste holder is up to one euro per calendar month.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 136²⁷. Implementation of non-compliance levy arising from administrative supervision

The non-compliance levy specified in subsection 2 of § 119⁹ of this Act is applied from 1 January 2031.
[RT I, 07.01.2026, 4 – entry into force 17.01.2026]

§ 136²⁸. Consignment note for hazardous waste

Section 64 of this Act in the version in force until 16 January 2026 applies to consignment notes for hazardous waste until 31 December 2026.
[RT I, 18.03.2026, 3 – entry into force 19.03.2026]

§ 136²⁹. Implementation of change in ordering recovery and disposal of waste

When awarding contracts for the recovery and disposal of waste covered by organised waste transport pursuant to subsection 5¹ of § 1 of this Act in the version in force until 31 December 2030, and contracts for the recovery and disposal of waste collected on the order of the local authority, it must be considered that, from 1 January 2031, they should comply with the requirements of this Act entering into force on the same date.
[RT I, 18.03.2026, 33 – entry into force 28.03.2026]

§ 137. – § 139. Omitted from this text

§ 140. Entry into force of Act

This Act enters into force on 1 May 2004, except for § 138 of this Act which enters into force on the day following publication of the Waste Act in the *Riigi Teataja*.

¹ Directive 2006/21/EC of the European Parliament and of the Council on the management of waste from extractive industries and amending Directive 2004/35/EC (OJ L 102, 11.4.2006, p. 15–34);
Council Directive 90/313/EEC on the freedom of access to information on the environment (OJ L 158, 23.6.1990, p. 56–58);
Council Directive 1999/31/EC on the landfill of waste (OJ L 182, 16.7.1999, p. 1–19), amended by Directive (EU) 2018/850 of the European Parliament and of the Council (OJ L 150, 14.6.2018, p. 100–108);
[RT I, 05.05.2021, 1 - entry into force 15.05.2021]

Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3–30), amended by Directive (EU) 2018/851 of the European Parliament and of the Council (OJ L 150, 14.6.2018, p. 109–140);
[RT I, 05.05.2021, 1 - entry into force 15.05.2021]

Directive 2009/31/EC of the European Parliament and of the Council on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (OJ L 140, 5.6.2009, p. 114–135);

Directive 2011/65/EU of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88–110), amended by Delegated Directive (EU) 2015/863 (OJ L 137, 4.6.2015, p. 10–12) and Directive (EU) 2017/2102 (OJ L 305, 21.11.2017, p. 8–11);
[RT I, 02.07.2019, 1 - entry into force 12.07.2019]

Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (OJ L 197, 24.7.2012, p. 38–71), as amended by Directive (EU) 2024/884 (OJ L, 2024/884, 19.3.2024);
[RT I, 03.12.2025, 1 - entry into force 13.12.2025]

Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment (OJ L 155, 12.6.2019, p. 1–19);
[RT I, 07.03.2023, 1 - entry into force 01.05.2023]

Directive 2000/53/EC of the European Parliament and of the Council on end-of life vehicles (OJ L 269, 21.10.2000, p. 34–43);
Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1–15);
Directive 2011/83/EU of the European Parliament and of the Council on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing

Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64–88).
[RT I, 31.12.2024, 2 - entry into force 10.01.2025]