

THE MINISTRY OF ENVIRONMENTAL PROTECTION, PHYSICAL PLANNING AND CONSTRUCTION

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Pursuant to Article 104, paragraph 1, item 3, indent 5 of the Waste Act (Official Gazette 178/04 and 153/05), the Minister of Environmental Protection, Physical Planning and Construction, with the approval of the Minister of Economy, Labour and Entrepreneurship, hereby issues the

ORDINANCE

ON WASTE TYRE MANAGEMENT

I GENERAL PROVISIONS

Article 1

This Ordinance regulates the types and levels of fees to be paid by those liable for payment, the manner of calculation and the deadline for the calculation and payment of fees, the manner of collection of waste tyres and the levels of fees to be paid to authorised collectors for the collection of waste tyres, the levels of fees to be paid to recovery operators for the recovery of waste tyres as well as other questions related to the management of waste tyres.

Article 2

The aim of this Ordinance is to establish a system for the collection of waste tyres for the purpose of their recovery for the production of materials and energy and for the protection of the environment.

Article 3

For the purpose of this Ordinance the following definitions apply:

1. *Waste tyres* are the tyres from personal motor vehicles, buses, goods vehicles, machinery, commercial vehicles and tractors, aeroplanes and other aircraft and similar products which the holder, due to damage, wear and tear, expiry date or other reasons can no longer or no longer wishes to use, and for that reason discards or intends to discard.
2. *Manufacturer* is a legal or natural person importing or manufacturing tyres as an individual product, or importing or manufacturing vehicles which include as a component the tyres from point 1 of this Article.
3. *Holder of waste tyres* is a legal or natural person in possession of waste tyres as a result of his or her own activities, and whose registered commercial activities result in waste tyres on a continuous or occasional basis.
4. *Waste tyre management fee* means the fee which is to be paid by importers of tyres into the Republic of Croatia or by manufacturers of tyres manufactured in the Republic of Croatia at

the time of their placement on the market as an individual product, and by importers and manufacturers of vehicles, aircraft and sets of wheels which have tyres as an integral component, for the purpose of covering the cost of collecting, transporting, disposing of and recovering waste tyres.

5. *Fee* to be paid to an authorised collector and recovery operator means the monetary sum to be paid by the Environmental Protection and Energy Efficiency Fund (hereinafter: the Fund) to authorised collectors and recovery operators for the collection and recovery of tyres.

6. *Payer of the waste tyre management fee* means the manufacturer and/or importer of tyres, or of a product which has tyres as an integral component.

7. *User of the waste tyre management fee* is a legal person with a permit to collect and/or recover waste tyres and holding a concession for the collection and/or recovery of waste tyres.

8. *Collection of waste tyres* means the collection, temporary storage and sorting of tyres for the purpose of recycling and/or using for the production of energy by incineration of such waste tyres.

9. *Authorised collector of waste tyres* means a legal or natural person with a permit to carry out the activity of collecting waste tyres and holding a concession for the collection of waste tyres.

10. *Authorised recovery operator for waste tyres* means a legal or natural person with a permit to carry out the activity of recovery of waste tyres and holding a concession for the recovery of waste tyres.

11. *Recovery of waste tyres* means the repeated procedure of treatment of waste tyres for the purpose of production of materials or energy.

12. *Accompanying form* is a form as stipulated by a special implementing regulation.

II MANNER OF MANAGEMENT OF WASTE TYRES

Article 4

(1) The manner of management of waste tyres is a group of measures including the collection and recovery of waste tyres for the production of materials or energy.

(2) The right to carry out the activity of waste tyre management is gained on the basis of a permit obtained in accordance with the Waste Act.

(3) A holder of tyres must maintain a register on waste tyre generation and flow and processing of waste tyres (ONTOG).

(4) The right to become an authorised collector/recovery operator for waste tyre management is gained on the basis of a concession for the collection and/or recovery of waste tyres in accordance with the Waste Act.

(5) A concession for the collection and/or recovery of waste tyres may be granted to a concessionaire fulfilling the requirements prescribed by the Waste Act and by this Ordinance.

Article 5

(1) An authorised collector of waste tyres (hereinafter: authorised collector) is obliged to receive waste tyres at no cost to the holder of the tyres.

(2) An authorised collector of waste tyres is obliged to deliver waste tyres to an authorised recovery operator for waste tyres (hereinafter: recovery operator) as designated by the Fund.

Article 6

(1) The holder of waste tyres is obliged to deliver waste tyres to an authorised collector and to enable the collector to take over the waste tyres without let or hindrance, and to hand to the collector a filled in accompanying form.

(2) The holder of waste tyres may also independently deliver waste tyres to the temporary storage facility of an authorised collector along with a filled in accompanying form.

Article 7

(1) Waste tyres must be recovered.

(2) In the process of recovery of waste tyres, recycling takes precedence over usage for the production of energy.

(3) The recycling of waste tyres must comprise at least 70% of the amount of waste tyres evidenced on the basis of data on the amount of imported new tyres in the previous year.

Article 8

(1) The recovery operator is obliged to receive collected waste tyres from an authorised collector without charging fees for so doing.

(2) When receiving waste tyres from an authorised collector, the recovery operator is obliged to stamp the accompanying forms.

(3) The recovery operator must have a storage facility for the reception of collected waste tyres which is sufficient for carrying out the regular and uninterrupted activity of recovery.

Article 9

(1) Authorised collectors are obliged to deliver to the Fund, on the prescribed form Waste Tyre Collector's Report (hereinafter: ISOG), data on the received and delivered waste tyres from the Accompanying Form for Non-Hazardous Waste, all by the deadline set down in the contract for undertaking the duties of waste tyre collection signed between the authorised collector and the Fund, and at least every three months.

(2) Recovery operators are obliged to deliver to the Fund, on the prescribed form Waste Tyre Recovery Operator's Report (hereinafter: IOOG), data on the received and recovered waste tyres from the Accompanying Form for Non-Hazardous Waste, all by the deadline set down in the contract for undertaking the duties of waste tyre recovery signed between the recovery operator and the Fund, and at least every three months.

III TYPES AND LEVELS OF FEES FOR WASTE TYRE MANAGEMENT

Article 10

(1) Payers of the waste tyre management fee (hereinafter: fee payers) shall pay a fee for the import of tyres into the Republic of Croatia or for tyres manufactured in the Republic of Croatia at the time of placing tyres on the market as an individual product, or at the time of importing vehicles or aircraft which have tyres as an integral component, or at the time of placing on the market vehicles and aircraft manufactured in the Republic of Croatia which have tyres as an integral component.

(2) Fees shall be paid to the Fund.

Article 11

- (1) The fee for waste tyre management is to be paid to the Fund for:
- imported or manufactured tyres in the amount of 1,500.00 HRK per tonne,
 - tyres which are an integral component of personal motor vehicles, buses, goods vehicles, machinery, commercial vehicles and tractors, aeroplanes and other aircraft and sets of wheels (wheels and tyres), in the amount of:
 - personal motor vehicles – 10 HRK per tyre
 - vans, delivery vehicles with capacity to 3.5 tonnes and tractors – 15 HRK per tyre
 - lorries, buses and forklift trucks – 85 HRK per tyre
 - construction equipment – 250 HRK per tyre
 - aeroplanes and other aircraft – 250 HRK per tyre.
- (2) The fee referred to in paragraph 1 of this Article in the case of import of individual tyres or tyres which are an integral part of imported personal motor vehicles, buses, goods vehicles, machinery, commercial vehicles and tractors, aeroplanes and other aircraft and sets of wheels (wheels and tyres) is calculated by the Fund on the basis of the Single Administrative Document (SAD), while the fee payable on new manufactured tyres is calculated by the Fund at the point of their placement on the market in the Republic of Croatia on the basis of regular quarterly reports which registered manufacturers are obliged to deliver to the Fund.
- (3) Single Administrative Documents (SAD) of the Customs Administration of the Ministry of Finance shall be delivered to the Fund in the manner and within the deadlines which shall be set by a special contract with the Fund.
- (4) On the basis of the information referred to in paragraph 2 of this Article, the Fund shall issue a decision to the fee payer on the level of the fee for the management of waste tyres.
- (5) Appeals against decisions issued by the Fund may be addressed to the Ministry of Environmental Protection, Physical Planning and Construction (hereinafter: the Ministry) within 8 days of the date of delivery of the decision.

Article 12

- (1) A fee payer who during the course of the financial year exports a certain quantity of tyres has the right to a refund of the fee paid for the exported quantity of tyres on the basis of single administrative documents.
- (2) For the quantity of tyres exported, the fee payer shall gain the right to a refund of the fee paid in the amount of HRK 1,450.00 per tonne of exported tyres.
- (3) In order to exercise the rights referred to in paragraphs 1 and 2 of this Article, the exporter must prove that for the tyres intended for export, the disposal fee was paid at the point of importing such tyres into the Republic of Croatia.

Article 13

- (1) The fee payer shall keep internal business records on the import or placement on the market of tyres, or vehicles and aircraft, for each financial year.
- (2) Data from these records are to be delivered to the Fund on the form Tyre Importer's and/or Manufacturer's Report (hereinafter: IU/PG) or on the form Report of importers of personal motor vehicles, goods vehicles, machines and tractors, aeroplanes and other aircraft and sets of wheels (wheels and tyres) (hereinafter: IUA) for the previous calendar year, by the end of February of the current year at the latest.
- (3) At the request of the Fund, data from the records may be delivered to the Fund also for shorter time periods.

IV CALCULATING THE COST OF COLLECTION, TRANSPORT, DISPOSAL AND RECOVERY OF WASTE TYRES

Article 14

- (1) Authorised collectors and recovery operators are entitled to compensation for the costs of collection, transport to temporary storage, sorting and loading.
- (2) Costs of management of waste tyres shall mean:
- a fee for the collection of waste tyres which includes the cost of collection, temporary storage and transport,
 - a fee for transport by an authorised collector to the recovery facility,
 - a fee for the recycling of waste tyres,
 - a fee for use for the production of energy.

Article 15

- (1) Authorised collectors shall be entitled to the following fees for the amount of waste tyres collected:
- 350 HRK/t for the received amount of tyres from holders of used tyres,
 - 70 HRK/t for temporary storage, sorting and loading prior to transportation for recovery,
 - for transportation from the place of business of the authorised collector to the recovery facility, the fee depends on the distance from the temporary storage facility to the storage facility of the recovery operator, in accordance with the following:
 - distance up to 100 km 100 HRK/t
 - distance between 101 and 200 km 150 HRK/t
 - distance between 201 and 300 km 200 HRK/t
 - distance over 300 km 300 HRK/t.
- (2) In addition to the fees referred to in paragraph 1 of this Article, an authorised collector shall have the right to refund of the material costs of ferry transport upon proof of payment.
- (3) The fee paid to the recovery operator for the recycling of waste tyres shall be in the amount of 600 HRK/t of recycled waste tyres.
- (4) The fee paid to the recovery operator using waste tyres for the production of energy shall be in the amount of 120 HRK/t of waste tyres.

Article 16

- (1) With the aim of disposing of illegally dumped waste tyres on the territory of the Republic of Croatia, the Fund may organise and implement the collection of dumped waste tyres over short time periods by taking over such tyres.
- (2) The time and manner of collection of dumped waste tyres pursuant to paragraph 1 of this Article, as well as the level of the fee which shall be paid to authorised collectors for delivered waste tyres, shall be set by the Fund with the approval of the Minister.

V TRANSITIONAL AND FINAL PROVISIONS

Article 17

- (1) The provisions of Article 7, paragraph 3 of this Ordinance shall be applied following the fulfilment of the condition of recycling a minimum of 70% of waste tyres per year.

(2) Until the application of Article 7, paragraph 3 of this Ordinance, a decision on the allowable quantity of waste tyres which may be used for the production of energy shall be adopted by the Minister each year and published in the Official Gazette.

(3) For the year 2006, the Minister shall adopt a temporary decision on the proportion of waste tyres which shall be used for the production of energy on the basis of an analysis of the available amount of waste tyres and the capacities of the recovery operators who shall sign contracts on concessions.

Article 18

The ONTOG, ISOG, IOOG, IU/PG and IUA forms with their corresponding content are printed along with this Ordinance and form an integral part thereof.

Article 19

This Ordinance shall enter into force on the eighth day after the day of its publication in the Official Gazette.

Class: 351-01/06-04/00006

Reg. No.: 531-08-1-1-06-1

Zagreb, 21 March 2006

Minister

Marina Matulović-Dropulić, m. p.

WASTE TYRE COLLECTOR'S REPORT ISOG

For month _____, year _____

PART I: COLLECTOR'S DETAILS

Name of collector (company):

Address:

Contact person:

Telephone:

Fax:

Email address:

Company ID:

Key waste no.: 16 01 03

PART II: QUANTITY REPORT

COLLECTED WASTE TYRES: _____ tonnes

Delivered for recovery

Name of recovery operator:

1. _____, amt: _____ tonnes, date _____

2. _____, amt: _____ tonnes, date _____

3. _____, amt: _____ tonnes, date _____

4. _____, amt: _____ tonnes, date _____

TOTAL DELIVERED TO RECOVERY OPERATORS: _____ TONNES

Place: _____

Signature

Date: _____

Stamp

Deliver to: Environmental Protection and
Energy Efficiency Fund
Nazorova 50
10 000 Zagreb

PROVISIONAL TRANSLATION

WASTE TYRE RECOVERY OPERATOR'S REPORT IOOG

For month: _____, year _____

PART I: RECOVERY OPERATOR'S DETAILS

Name of recovery operator (company):

Address:

Contact person:

Telephone:

Fax:

Email address:

Company ID:

Key waste no.: 16 01 03

PART II: REPORT ON QUANTITIES OF RECEIVED AND RECOVERED WASTE TYRES

Received from collector: _____ tonnes

Recovered: _____ tonnes

Place: _____

Signature

Date: _____

Stamp

Deliver to: Environmental Protection and
Energy Efficiency Fund
Nazorova 50
10 000 Zagreb

PROVISIONAL TRANSLATION

TYRE IMPORTER'S AND/OR MANUFACTURER'S REPORT IU/PG
For month: _____, year _____

PART I: IMPORTER'S/MANUFACTURER'S DETAILS

Name of importer/manufacture (company):

Address:

Contact person:

Telephone:

Fax:

Email address:

Company ID:

**PART II: REPORT ON QUANTITIES OF IMPORTED/
MANUFACTURED TYRES**

Imported/Manufactured:

To be filled in by IMPORTERS:

Imported: _____ tonnes

To be filled in by MANUFACTURERS:

Manufactured: _____ tonnes

Place: _____

Signature

Date: _____

Stamp

Deliver to: Environmental Protection and
Energy Efficiency Fund
Nazorova 50
10 000 Zagreb

Attachment: copy of Single Administrative Document (SAD)

PROVISIONAL TRANSLATION

REPORT OF IMPORTERS of personal motor vehicles, buses, goods vehicles, machinery, commercial vehicles and tractors, aeroplanes and other aircraft and sets of wheels (wheels and tyres) IUA

For month: _____, year _____

PART I: IMPORTER'S DETAILS

Name of importer (company):

Address:

Contact person:

Telephone:

Fax:

Email address:

Company ID:

PART II: REPORT ON QUANTITIES OF TYRES placed on the market which are an integral part of imported personal motor vehicles, buses, goods vehicles, machinery, commercial vehicles and tractors, aeroplanes and other aircraft and sets of wheels (wheels and tyres)

To be filled in by IMPORTERS/MANUFACTURERS:

Tyres for:	HRK per item	quantity
Personal motor vehicles	10.00	
Vans, goods vehicles to 3.5t, tractors	15.00	
Lorries, buses and forklift trucks	85.00	
Construction machinery	250.00	
Aeroplanes and other aircraft	250.00	

Place: _____

Signature

Date: _____

Stamp

Deliver to: Environmental Protection and
Energy Efficiency Fund
Nazorova 50
10 000 Zagreb

Attachment: copy of Single Administrative Document (SAD)

REGISTER OF WASTE TYRE GENERATION AND FLOW							
KEY WASTE NO:	1	6	0	1	0	3	
TYPE OF BUSINESS	COMPANY DETAILS						
Manufacturer	Company name:						
Collector	Address:						
Recovery operator	ID no:						
	Quantity (tonnes)			Quantity of delivered waste tyres (tonnes)			
Date	Entry	Exit	Balance	To collector	To transporter	To recovery operator	
TOTAL							