

TRIS 2021/237/SK

Comments by CICPEN - Czech Industrial Coalition for Packaging and Environment (CZ) on

Slovak Act amending Act No. 79/2015 Coll. on Waste and on amendments to certain acts as amended and which amends certain acts

No.	Comment relates to (title and part of a document)	Comment text	Comment justification
1.	To the overall draft	Even though the notified draft transposes the SUP Directive 2019/904 in full, the amended Waste Act will still need to be supplemented by new implementing decrees, specifying the details of the new obligations. These decrees should be subject to the intra-Community comment procedure (TRIS) too in order to review the relevant legislation in its entirety.	The transposition of obligations consists not only of the text of the Waste Act, as amended, but also of related implementing decrees. Only reviewing the full scope of obligations incl. those in the implementing decrees will enable to make sure there is no deviation from the SUP Directive 2019/904, impacting on the Single Market.
2.	Point 12 (new Sec. 135i) on the transitional provision for amendments effective from 1 July 2021	Contrary to what is stipulated now by the proposed Sec. 135i, the circulation of products, subject to the marking obligation under Sec. 75e and not meeting the marking requirements, should not be limited “till 31 January 2022”, if these product were already placed on the market before July 3 rd .	The circulation of the non-marked products that have already been placed on the market before July 3 rd is not limited timewise by the SUP Directive 2019/904. Setting up a deadline that would be banning their circulation after certain date (i.e. 31.1.2022) in a Member State that is part of the Single Market would go beyond the requirements of the SUP Directive, causing unnecessary complications for the relevant business operators.