

Clause on selected impacts

1. Basic information	
Name of the document	
Draft implementing decree of the Ministry of the Environment of the Slovak Republic on record-keeping and reporting obligations	
Submitter (and co-submitter)	
Ministry of Environment of the Slovak Republic	
Nature of the submitted document	<input type="checkbox"/> Document of a non-legislative nature
	<input checked="" type="checkbox"/> Document of a legislative nature
	<input checked="" type="checkbox"/> Transposition of EU law
<p><i>In the case of transposition, please list the legislation being transposed:</i></p> <ul style="list-style-type: none"> - Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008) - Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE) (OJ L 197, 24.7.2012) - Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ L 266, 26.9.2006) - Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (OJ L 269, 21.10.2000) - European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994) - Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste (OJ L 150, 14.6.2018) - Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) (OJ L 243, 24.9.1996), as amended. 	
Start and end dates of the preliminary consultation exercise	03-06.10.2022
Expected date of submission for consultation	September 2022
Expected date of start and completion of the MR**	
Expected date of submission to a session of the Government of the Slovak Republic*	

2. Definition of the issue
<p><i>Please indicate the basic issues that justify the elaboration of the material submitted (the reasons should indicate precisely the problem that exists and needs to be addressed by the material submitted).</i></p> <p>The draft Decree of the Ministry of the Environment of the Slovak Republic on registration and reporting obligations (hereinafter the 'draft Decree') follows the amendment to Act No 79/2015 on waste and amending certain acts, as amended (hereinafter the 'Waste Act'), transposing Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste. The current way of keeping records and reporting data from them has proved insufficient in practice, given the need to meet new objectives at the EU level.</p> <p>The draft decree responds to the need for computerisation and electronisation of records and data transmission in the field of waste management, due to the need to monitor the material waste stream, which is currently difficult to trace. The draft decree will allow the Ministry and supervisory authorities better access to the data obtained from obliged entities, i.e. entities obliged to keep and report data from waste records, since these data will be sent exclusively electronically to the Waste Management Information System (ISOH, Informačný systém odpadového hospodárstva) via precisely defined attachments, thereby reducing the administrative burden. The Ministry of the Environment of the Slovak Republic therefore decided to create a new decree on</p>

the grounds that any amendment to the current Decree of the Ministry of the Environment of the Slovak Republic No 366/2015 on record-keeping obligations and reporting obligations would require extensive changes within the scope of the legislative process that would be quite confusing.

3. Objectives and desired outcome

Please indicate the main objectives of the submitted material (specifying the outcome that is to be achieved by accepting the material, the outcome must be different from that described in point 2. Definition of the issue).

The main objective of the draft decree is to monitor the material waste stream. Through better data on the material flow, the Slovak Republic will have a better overview of how waste is managed, i.e. its flow from the waste producer to the final point of recovery or disposal of the waste will be recorded.

Better data can be expected due to the fact that up to now obliged entities have kept records of waste by means of waste record sheets, from which they subsequently copied the data to a report on the generation and management of waste, which they then sent to district authorities in paper or electronic form (pdf, xlsx, etc.). The employees of the district authorities then manually transcribed this data into the Regional Waste Information System (RISO, Regionálny informačný systém o odpadoch). By adopting the draft decree, we will achieve a state where, in the final result, we will receive better data because obliged entities will keep records and send data from them to ISOH exclusively in the form of electronic batches on record sheets, thus avoiding errors in manual copying of data both on the part of business entities (copying data from waste registers to reports on waste generation and management), as well as on the side of district authorities (copying data from reports to RISO).

Another goal is to streamline the waste management in the Slovak Republic via electronisation and informatisation.

The advantage of electronic communication between businesses and state waste management authorities is that business entities can send their submissions (such as sending waste records and different types of reports) via an electronic mailbox, thereby increasing the accessibility of submissions (they can be performed by anyone from any location if they have an eID card, a reader, a computer with internet access and relevant software), lower costs (postal costs and administrative fees are halved in the case of electronic submissions). security is increased (communication via electronic mailboxes is considered highly secure and the delivery of documents within them is guaranteed by law) and information to business operators will also be increased (users are informed of the sending and delivery of their individual submissions).

Electronisation will also make the exchange of information between state authorities more effective. Examples include requests from the Police Force of the Slovak Republic to the Ministry of the Environment in matters of illegal waste handling, when it was necessary to determine whether a particular business entity has, for example, treatment authorisation pursuant to § 89(1)(a) of the Waste Act. When ISOH is launched, the Police Force of the Slovak Republic will have automated access to the intranet part of the ISOH, from which police officers will be able to obtain the necessary information directly.

Automated access to the intranet part of the ISOH for entities pursuant to § 103(17) of the Waste Act will also ensure the prevention of possible forms of obstruction of investigations.

4. Affected entities

Identify the entities affected directly and indirectly by changes to the submitted material:

- business entities handling other or hazardous waste;
- the Ministry of Environment of the Slovak Republic;
- the Ministry of the Interior of the Slovak Republic;
- the Slovak Environmental Inspectorate;
- district authorities in regional capitals in matters relating to the state administration of waste management;
- district authorities in matters of state waste management administration;
- customs authorities;
- the Police of the Slovak Republic.

5. Alternative solutions

What alternative solutions leading to the stated objective have been identified and assessed to address the identified issue?

Zero option — Please indicate the consequences that would occur in the absence of the changes in the submitted document and the alternative solutions/methods to achieve the objectives referred to in point 3.

Alternative solution 0 – status quo

If waste continues to be recorded using the current record sheets, the Slovak Republic will not obtain the data necessary for reporting to the European Commission and Eurostat.

Employees of district authorities spend about one month in the year copying data from reports on waste generation and management into RISO, which results in data errors and at the same time reduces capacity to perform other work pursuant to the Waste Act.

Currently, reports on the generation and management of waste are sent to district authorities, similarly to landfill record sheets. Reports regarding specified products and waste from them are sent to the Ministry of the Environment of the Slovak Republic. Multiple state authorities work with these records in matters of the state administration of waste management.

If the draft Decree is not passed, continued errors can be expected during the transcription of data from paper to electronic form, more time will be needed for tasks related to recording and reporting obligations, including exposure to possible infringements, EU Pilots and possible penalties due to the inability to report data resulting from regulations and directives, which Slovakia is obliged to send, for example to the European Commission and Eurostat.

6. Implementing legislation

Is implementing legislation expected to be adopted/amended? Yes No

If yes, specify which areas will be governed by this legislation or which implementing legislation will be affected:

§ 26 and § 103 of Act No 79/2015 on waste are expected to be rewritten.

7. Transposition of EU law

Please indicate whether goldplating is taking place in the present draft legislation according to the correlation table.

Yes No

If yes, please indicate which effects under point 9 apply to goldplating:

8. Expediency review

Indicate the date by which the effectiveness and expediency of the material presented should be reviewed.
Specify the criteria on the basis of which the review will be performed.

A review of the expediency of the draft decree is foreseen in 2027.

The review shall be carried out on the basis of the following criteria:

1. Reduction of time requirements.
2. Efficiency of obtaining data outputs.

*to be completed only if the document is not included in the Work Plan of the Government of the Slovak Republic or the Plan of Legislative Tasks of the Government of the Slovak Republic.

** to be completed only if the final assessment of the selected impacts has been carried out in accordance with point 9.1 of the Uniform Methodology.

*** the assessment relates only to changes in Pillar I and Pillar II of the universal pension scheme with an identified impact of 0.1 % of GDP (inclusive) in the long term.

9. Selected impacts of the document				
Impacts on the general government budget	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	
of which covered in the budget, in case of identified negative impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Partial	
included impacts on the budgets of municipalities and higher territorial units	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	
of which covered in the budget, in case of identified negative impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Partial	
Impact on the long-term sustainability of public finances for selected measures ***	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	
Impacts on the business environment	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Negative	
of which impacts on SMEs	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Negative	
The bureaucracy and cost reduction mechanism is being applied:	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	
Social impacts	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	
Environmental impacts	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> None	<input type="checkbox"/> Negative	

Impacts related to the information society	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> None	<input type="checkbox"/> Negative
Impacts on public administration services for the citizen, of which impacts of public administration services on the citizen impacts on service processes in public administration	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
Impacts on marriage, parenthood and families	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative

10. Notes

If necessary, provide additional information on the identified impacts and their analyses.

If the submitted material has a marginal (negligible) impact on any of the areas covered in point 9 and for this reason it is marked as no impact, please provide the facts explaining why this impact is marginal (negligible).

The information in this section is used to summarise the impacts or to comment on marginal impacts and not as a substitute for the preparation of appropriate analyses of selected impacts.

On the basis of the environmental impact analysis, positive impacts can be expected in this area, since the introduction of an obligation of electronicisation for several types of records and reporting will reduce the amount of paper consumed.

According to the results of the analysis of the effects on the informatisation of the company, we assume a reduction of the administrative burden, both on the part of business entities and on the side of state administration bodies.

According to the results of the analysis of the effects on the business environment, we can conclude that, on the basis of the adoption of the draft decree, consisting mainly of the electronicisation of waste management in the field of record-keeping and its electronic transmission to the information system, shall be able to reduce total costs in the amount of **EUR 227,148** (the figure shown represents the difference between increased and reduced expenditures for the business environment, i.e. EUR 259,424 – EUR 32,276 = EUR 227,148).

11. Contact details of the author

Please provide the details of the person who can be contacted with regard to the assessment of selected impacts.

Mgr. Martin Izsóff, PhD., Waste Management Department, martin.izsoff@enviro.gov.sk
phone: +421 2 5956 4319

12. Sources

Please indicate the sources (statistics, surveys, cooperation with experts, etc.) on which you relied to prepare the material and develop the clause, impact analyses. In case the necessary data is not available for the processing of relevant analyses of selected impacts, please indicate this fact.

The draft decree itself, including the explanatory memorandum – special section, was sent to selected entities for comments, due to the need for feedback from business entities operating in the real world. The selected business entities included the following:

- E.P.A., spol. s.r.o.
- EKOVID s.r.o.
- ENVIS, s.r.o.
- Ing. Zuzana Balková EKO – IN
- Association of Independent Secondary Raw Materials Processors

The draft decree was consulted with a representative of the Ministry of Economic Affairs after an internal consultation procedure on 27 September 2022, on the basis of which several impact clauses were modified.

13. Opinion of the Commission on the assessment of selected impacts from the CWP

No 226/2022

(if implemented in accordance with point 8.1 of the Uniform Methodology)

Agree

Agree with a proposal for completion

Disagree

**Please provide comments from the Commission's opinion in Part II, together with your assessment:
Regarding the impact on the general government budget**

In the selected impacts clause, the effects of the draft Decree of the Ministry of the Environment of the Slovak Republic are described as negative with partial budgetary coverage. Expenditures for the acquisition of computer technology in the amount of EUR 3300 will be covered by the budget of the Ministry of Environment for 2022. However, payroll expenditures for three new employees of the Ministry of Environment of the Slovak Republic for a total amount of EUR 95,220.72 (wages and insurance) per year to cover work with the new database containing electronic waste records are not covered in the budget of the Ministry of Environment of the Slovak Republic for the years 2023 to 2025.

It is impossible to agree with a document submitted in this manner, as the draft Decree of the MoE SR establishes impacts on the government budget that are not covered. In the light of the above, the Commission requests that the analysis of the budgetary implications for the public administration as well as other parts of the material be revised in such a way that all negative impacts, including on employment, resulting from the draft Decree of the Ministry of the Environment of the Slovak Republic are covered within the agreed limits of the budget of the Ministry of Environment of the Slovak Republic, without any unaccounted-for negative effects on the public administration budget.

At the same time, the Commission draws attention to the incorrectly drafted Table 1 of the analysis of the budgetary implications for the public administration budget, where there are no amounts on the line 'Total public administration expenditures' and on the subsequent rows of this section, as well as on the rows 'Financing covered in the budget' and 'Non-budgeted impact/savings'. It is also necessary to align Table 1 with Table 5 with regard to the number of employees.

Regarding impacts on information society

The Commission agrees that the '*Draft Decree of the Ministry of the Environment of the Slovak Republic on record-keeping and reporting obligations*' has an impact on information society. However, the Commission requests changes to point 6.3, where only the relevant letters are provided (not the text) and a review of point 6.7.1, as in the Commission's view this will not be reference data.

Evaluation of the comments by the Ministry of the Environment of the Slovak Republic

1. Accepted. Based on the decision of the Ministry's management within this phase, three new jobs will not be created at the Waste Management Information System department. In the light of the above, the Ministry also does not need to procure three new computers, and therefore, in the course of the subsequent legislative process, it will not attach to the draft decree a clause analysing the impact on the public administration budget, on employment in the public administration and financing of the draft, the subject of which was the creation of three new jobs and the acquisition of three new computers.

2. Regarding Table 1 of the analysis of the impact on the public administration budget
Accepted. Amended pursuant to the comments.

3. Regarding impacts on information society

Accepted. Amended pursuant to the comments. Under point 6.3, funding sources have been amended. In point 6.7.1 it was indicated that these were not reference data, so point 6.7.2 was also amended.

**14. Opinion of the Commission on the assessment of selected impacts from final assessment
No..... (in the case where it was carried out pursuant to point 9.1. of the Uniform
Methodology)**

Agree

Agree with a proposal for completion

Disagree

Please provide comments from the Commission's opinion in Part II, together with your assessment:

Analysis of impacts on the business environment

Name of the document: Draft Decree of the Ministry of the Environment of the Slovak Republic on record-keeping and reporting obligations

Submitter: Ministry of Environment of the Slovak Republic

3.1 Regulatory costs

3.1.1 Summary table of regulatory costs

Table 1: Changes in costs (annually) in the business environment (PP), evaluation of the bureaucracy and cost reduction mechanism.

Replace with the same table after completing the Business Environment Cost Calculator, which is a mandatory annex to this analysis and can be found at [MH SR website](#) (hereinafter referred to as 'Cost Calculator'):

TYPE OF COSTS	Cost increase in EUR on the business environment	Cost reduction in EUR on the business environment
<i>A. Taxes, levies, duties and charges aimed at reducing negative externalities</i>	0	0
<i>B. Other fees</i>	0	0
<i>C. Indirect financial costs</i>	0	48,157
<i>D. Administrative costs</i>	32,276	211,267
Total = A+B+C+D	32,276	259,424
<i>Of which</i>		
<i>E. Impact on micro, small and medium enterprises</i>	0	204,231
<i>F. Full harmonisation of EU law (excluding taxes, levies, duties and charges aimed at reducing negative externalities)</i>	0	0

CALCULATION OF THE 1in2out RULE:	IN	OUT
<i>G. Costs minus exceptions = B+C+D-F</i>	32,276	259,424

3.1.2 Calculations of the effects of individual regulations on changes in the costs of businesses

Table 2: Calculation of impacts of individual regulations (replace with the same table after completing the Cost Calculator):

Seq. no.	Clear and concise description of the regulation (reason for increase/reduction of BE costs)	Number of the standard (act, decree, etc.)	Localisation (§, subsection)	Origin of regulation: SR/EU complete harm./EU optional harm.	Effectiveness of regulation	Category of stakeholders	Total number of entities	Number of SME entities	Impact per enterprise in EUR	Impact on the category of stakeholders in EUR	Impact type In (increases costs)/Out (reduces costs)
1	Abolition of the obligation to send waste generation and management reports in paper form	366/2015	§ 3(1)	SK	01.01.16	Waste management companies (ELOs) and waste producers	20,646	16,560	12	254,623	Out (reduces costs)
2	Introduction of the obligation to transmit data from electronic waste records exclusively electronically for obliged entities, with the exception of original producers pursuant to § 4(1)(a) and (c) of Act No 79/2015 on waste	79/2015	§ 103(23)	SK	01.01.24	Business entities managing waste (ELO)	4,086	N	7	27,874	In (increases costs)
3	Introduction of the obligation to send reports exclusively electronically via the information system	79/2015	§ 103(23)	SK	01.01.24	Landfill operators, Producer Responsibility Organisations, Third parties,	2,286	N	2	4,801	Out (reduces costs)

						Individualists, Manufacturers pursuant to § 27(7) of the Act, Manufacturers pursuant to § 54(6) of the Act, Old vehicle processors					
4	Obligation to register in the waste management information system	Draft Decree	§ 22(2)	SK	01.01.24	Business entities managing waste (ELO)	20,646	N	0	4,401	In (increases costs)

Additional information on how to calculate the impacts of individual regulations on the change of costs

For each regulation affecting the business environment assessed in Table 2, please provide additional information so that the method and correctness of the calculations can be checked. In particular, please indicate how you calculated the impacts and from which source you benefited from the frequency (please also provide a link to specific statistics if available on the internet). Individual regulations may have one or more types of costs (A. Taxes, levies, duties and charges aimed at reducing negative externalities, B. Other charges, C. Indirect financial costs, D. Administrative costs). Disaggregate them and calculate them in accordance with the methodological procedure.

P. 1 — Abolition of the obligation to send and manage waste generation reports in paper form

According to the legislation currently in force, for 2020 we had 20,646 business entities on record who sent waste generation and management report (source: RISO – Regional Waste Information System). The calculation was based on the principle that 1 report = 1 business entity.

A report on the generation and management of waste is a summary of the waste record sheets that are kept by obliged entities for a specific waste catalogue number.

We estimated the time it takes to create and check this report at about 60 minutes, which we used to calculate the costs for the business environment. The report was sent once a year, by 28 February for the preceding calendar year.

The amount saved on postage will be EUR 43,356.60 (20,646 - number of business entities * EUR 2.1 postage according to the Slovak Post tariff for a registered letter sent by 1st class).

The abolition of the obligation to draw up a report comes to EUR 211,266.40 (total impact on the category of stakeholders EUR 254,623 – EUR 43,356.60 for postage).

According to the above data, we estimate the cost reduction for the business environment to be EUR 254,623.

P. 2 — Introduction of the obligation to transmit data from electronic waste records exclusively electronically for obliged entities, with the exception of original producers pursuant to § 4(1)(a) and (c) of Act No 79/2015 on waste

From 1 January 2026, precisely defined business entities will send electronic batches on a quarterly basis, i.e. electronic waste record sheets for the first three months of the relevant year will be sent during the fourth month, which will reduce the administrative burden, as the entities will not have to summarise the data in any way, but will send them in the state in which they recorded them. An increase in the frequency of data transmission from once a year to four times a year may seem to be an increase in the administrative burden. Because the creation of a waste generation and management report definitely took more time, sending electronic batches (electronic waste record sheets) without any change on a quarterly basis still represents a reduction in the administrative burden.

We estimate the number of entities that will send electronic batches to the waste management information system (hereinafter the ‘information system’) at 4086. In determining this number of business entities, we based ourselves on the total number of business entities that in 2020 sent a waste generation and management report to RISO, i.e. 20,646, deducting from this

quantity original waste producers defined in § 4(1)(a) and (c) of Act No 79/2015 on waste, which number 16,560 (source: RISO), which ultimately resulted in the number of persons obliged to send electronic batches starting 1 January 2024 being 4086.

The transmission of electronic waste record sheets on a quarterly basis to the information system is estimated to take 40 minutes per year (1 electronic batch = 10 minutes).

The introduction of the transmission of electronic batches increases the administrative costs for 4086 entities by EUR 27,874 per year.

P. 3— Introduction of the obligation to send reports exclusively electronically via the information system

According to the information system, the introduction of the above obligation will affect 2286 business entities. In the calculation we took into account business entities that will send electronic reports via the information system (Note: all entities except landfill operators have already had the option to send electronic reports via the information system since 1 January 2020):

- Producer Responsibility Organisations – 17
- Third parties – 3
- Producers fulfilling their specified obligations individually – 39
- Producers pursuant to § 27(7) of the Act – 21
- Producers pursuant to § 54(6) of the Act – 2157
- Old vehicle processors – 49
- Landfill operators – 89

The Ministry does not have precise information on how many entities have made use of the ability to send the relevant report electronically, on the basis of which it calculated the total amount of postal costs saved in the event that all entities would send the notifications in paper form. The amount saved is EUR 4,800.60 (2286 business entities* EUR 2.1 postage according to the Slovak Post tariff for a registered letter sent by 1st class).

P. 4— The obligation to register in the waste management information system

Under § 22(2) of the draft Decree, obliged entities as defined in § 1(1) of the draft Decree must register in the information system by 31 January 2026. This is a one-off matter for the purpose of assigning a waste site identifier (IMVO), which is required for the purpose of registering waste both for a specific obliged entity and for the person who takes delivery of the waste.

3.2 Evaluation of consultations with businesses prior to preliminary consultation

Please indicate the form of the consultation, including the rationale for its choice and the duration of the consultations, the dates of the meetings. Please indicate how the entities concerned will be contacted, a list of consultative bodies, including a link to the website on which the consultation was published.

Please indicate the main points of the consultation and its conclusions.

Please provide a list of submitted alternative solutions to the issue from consultative bodies as well as suggestions from consultative bodies to reduce the costs of regulations for the business environment that have not been accepted and the reason for not accepting.

Alternatively, instead of filling in point 3.2, as a separate annex to this analysis you may include a consultation record containing the required information.

Consultations with the company E.P.A., spol. s.r.o. are ongoing throughout the year, as the statutory representative of the company has an agreement with the Ministry of the Environment to perform work related to the Waste Management Information System, focusing on assistance in the drafting of the decree.

The companies EKOVID s.r.o., ENVIS, s.r.o. and Ing. Zuzana Balková EKO – IN were contacted because of their long-term activity in the field of environmental consulting for companies handling waste. On 31 August 2022 the companies were sent the document itself along with the explanatory memorandum – special section, requesting comments by 6 September 2022. The companies sent a number of comments, not all of which we accepted and incorporated. The Association of Independent Secondary Raw Materials Processors, which associates businesses carrying out purchasing with a focus on metal waste, was contacted on 14 September 2022, with comments received on 15 September 2022.

Examples of accepted comments:

- maintaining the ability to keep waste records on record sheets after 1 January 2027 for original waste producers;
- the addition of § 5(8) to the draft decree – the ability to check data (a number of companies want to know how much they have handed over, e.g. to collection associations for audit purposes);
- a number of comments regarding technical aspects of the legislation;
- addition of a merchant and intermediary to item 24 of Annex 1 to the Waste Record Sheet.

Examples of unaccepted comments:

- the elimination of the obligation to keep waste records for original producers – the Ministry of the Environment of the Slovak Republic did not agree to this because it would then have to introduce a threshold for sending electronic batches for these entities as well, and if the threshold were to be exceeded by the end of the year, they would have to send electronic batches retroactively for the entire year;
- in § 1(1) of the Act, reduce the scope of defined obliged entities to entities handling waste pursuant to § 3(2) of the Act and to producers of waste pursuant to § 4(1) of the Act – the Ministry of the Environment of the Slovak Republic decided to not narrow down the obliged entities in order to allow individual entities to be able to identify themselves more closely due to the obligation to keep records;
- abolition of the obligation to keep records at least once per month – the Ministry of the Environment of the Slovak Republic did not abolish this obligation due to possible abuse by certain business entities. The above needs to be maintained for possible inspections by the State Environmental Inspectorate or district authorities in matters of state administration of waste management.

3.3 Impacts on competitiveness and productivity

Are barriers to trade created or changed?

There is a presumption that a certain group of entities will see a barrier in electronisation, but from the point of view of the Ministry of the Environment of the Slovak Republic we do not see such a barrier, as these entities currently already use various electronic systems.

Will some enterprises or products be treated differently from others in a comparable situation (special regimes for micro, small and medium enterprises, the so-called SMEs)?

Yes. Original waste producers under § 4(1)(a) and (c) of the Waste Act will not be obliged to send electronic batches to the information system, unlike other obliged entities defined in § 1(1) of the draft Decree.

Does the change in regulation affect cross-border investments (influx/flow of foreign investments or the performance of Slovak companies in foreign markets)?

No.

Will it affect the availability of basic resources (financial, workforce, raw materials, mechanisms, energy, etc.)?

In the area of the business environment, we do not foresee such a situation. On the side of the state administration (MoE SR), it will be necessary to increase the number of employees whose duties will include activities related to the information system (preparation of system change requirements, data control, data analysis, production of outputs necessary for reporting to Eurostat, the European Commission, citizens, state authorities and public authorities in the Slovak Republic, etc.).

Does change in regulation affect innovation, science and research?

No

How does the change of regulation contribute to Slovakia's objective of having the best business environment among the EU's neighbouring countries?

The aim of the draft Decree is to ensure supervision of the material waste stream, which is currently difficult to trace, resulting in a better overview in the area of supervision and subsequent sanctions against businesses currently managing waste contrary to laws and other implementing legislation.

Streamlining of processes can also be expected, as data will be sent electronically to the information system, i.e. applicants for various waste information in the Slovak Republic will wait less time for results from the Ministry of the Environment of the Slovak Republic.

Competitiveness:

On the basis of the above answers, please tick and describe whether the document:

increases does not change reduces

Productivity:

What is the impact of the document on the ratio between enterprises' production and their costs?

On the basis of the above reply, please tick and describe whether the document:

increases does not change reduces

3.4 Other impacts on the business environment

If the document has impacts on the business environment that cannot be included in the previous parts, whether positive or negative, please list them here. This includes:

a) penalties or fines as a result of a breach of legally binding provisions;

Sanctions are expected to increase against entities currently managing waste contrary to laws and other implementing legislation.

Because the fines for individual infringements of Act No 79/2015 on waste and its implementing legislation are of varying amounts, the amount the fine for each infringement can be found in § 117 of Act No 79/2015 on waste.

b) effects relating to applications for or receipt of subsidies, funds, State aid and the use of other similar forms of support by the State, as they are a concomitant phenomenon of applying for or receiving benefits which are not legally granted directly but arise from the expression of the will of the entity concerned;

c) regulated prices pursuant to Act No 18/1996 on prices;

d) other impacts envisaged by the document that cannot be included in parts 3.1 and 3.3.

Analysis of impacts related to information society				
Development of the basic pillars of information society				
Business layer	A — a new service B – change in a service	End service code	Name of the end service	Level of digitalisation
6.1. Does the present draft foresee the modification of existing end services of the public administration or the creation of new services for citizens or businesses?	A	ks_339564	Landfill record sheet	4
	A	ks_336399	Reporting by a producer responsibility organisation for all represented producers on batteries and accumulators and the management of waste batteries and accumulators	4
	A	ks_336404	Reporting by a producer responsibility organisation for all represented producers on vehicles	4
	A	ks_336397	Reporting on tyres and waste tyre management	4
	A	ks_336392	Reporting hazardous waste transported in the Slovak Republic – HW accompanying sheet	4
	A	ks_336405	Reporting by a third party for all represented producers	4
	A	ks_336401	Reporting by a producer responsibility organisation for all represented producers on	4

			packaging and packaging waste management	
	A	ks_336403	Reporting by a producer responsibility organisation for all represented manufacturers on tyres and waste tyre management	4
	A	ks_336400	Reporting by a producer responsibility organisation for all represented producers of electrical equipment and electrical waste management	4
	A	ks_336402	Reporting by a producer responsibility organisation for all represented producers of non-packaging products and treatment of waste from non-packaging products	4
	A	ks_336393	Reporting on batteries and accumulators and the management of waste batteries and accumulators	4
	A	ks_336386	Submission of waste record sheets	4
Application and technology layer	A - a new system B - change to a system	System code	System name	In the government cloud — yes/no
6.2. Is a change in an existing or the creation of	B	isvs_8182	Waste	Yes

new public administration information system foreseen in the present draft? Does the administrator foresee the location of the information system in the government cloud?			management information system	
Financing of the computerisation process	Departmental level	Supra-departmental level	A - from EU funds B - from other sources of funding	
6.3. Does the process of computerisation require any financial investment? <i>(Indicate the relevant level of financing and quantification of financial expenditures in the analysis of the impacts on the general government budget.)</i>	X		A	
Simplifying access to proceedings and cutting red tape				
Digital proceedings				
6.4.1. Does the present draft foresee the conduct of proceedings on the rights, legally protected interests or obligations of natural persons and corporate entities?	Yes No	<i>(Please specify what proceedings are involved).</i> The draft decree regulates the rules on registration and reporting obligations relating to waste management.		
6.4.2. Can the given proceedings be carried out electronically?	Yes No	<i>(If some of the acts in the proceedings or the entire proceedings are linked to paper-based communication, please indicate what they are and for what reason.)</i> Waste record sheet – waste records and their transmission can be carried out fully electronically (for smaller businesses the option of keeping waste records in either electronic or paper form is preserved). Landfill record sheet – the draft Decree stipulates that these are to be kept and sent exclusively in electronic form. Hazardous waste accompanying sheet – a combination of electronic and paper form has been chosen for this type of attachment.		
6.4.3. Is the regulation of the proceedings compatible with the principles of the e-Government Act and is the e-Government Act applicable to the proceedings?	Yes No	<i>(If the regulation of proceedings is different from that in the e-Government Act or if the use of the e-Government Act is ruled out, please indicate what is involved and for what reason.)</i>		
The 'once is enough' principle				
6.5.1. Does the present draft provide for the submission of documents, information or evidence of facts (hereinafter 'data') to the authority conducting the proceedings?	Yes No	<i>(Please specify what data is involved and in which proceedings.)</i> Yes, it does, specifically as data from records of waste and products placed on the market [in the case of specified products pursuant to § 27(1) of the Waste Act] pursuant to the draft Decree.		
6.5.2. Does the present draft foresee the submission of data contained in statutory records maintained by the authority conducting the proceedings or by another authority?	Yes No	<i>(Please specify what records are involved.)</i> Records of products placed on the market [in the case of specified products pursuant to § 27(1) of the Waste Act]. Waste records resulting from the draft Decree: - Waste record sheet; - Landfill record sheet;		

		- Report on specified products and waste management of specified products (specified products are defined as electrical equipment, tyres, vehicles, batteries and accumulators, packaging and non-packaging products).
6.5.3. Will the data provided by the regime pursuant to Act No 177/2018, as amended, or in any other similar manner, ensure that the data is obtained ex officio by the authority conducting the proceedings and does not have to be submitted to it by a private entity, a petitioner, applicant, or party to the proceedings (hereinafter a 'party to the proceedings')?	Yes No	<i>(Please specify how the data will be submitted/proven in the proceedings. If submission to the parties to the proceedings is required, please state the reason.)</i> The data required for reporting to Eurostat, the European Commission and for the needs of the Slovak Republic will be collected in accordance with Act No 79/2015 on waste, with the format of the transmitted data being laid down by special legislation, in this case the draft Decree.
6.5.4. If the authority conducting the proceedings does not obtain the data ex officio but rather it is submitted to the parties to the proceedings, does the draft provide for a transitional period after which the data will be obtained ex officio by the authority conducting the proceedings?	Yes No	<i>(Please specify how the data in the proceedings will be submitted/proven in the future. If submission to the parties to the proceedings is required, please state the reason.)</i>
Exchange of data between public authorities		
6.6.1. Does the present draft envisage the creation of new data records or regulate the maintenance of data records?	Yes No	<i>(Please specify what new data records are being established or which data records are being modified by the draft.)</i> The present draft decree establishes a new electronic form of keeping and transmitting waste records, relating to the electronic waste record sheet, which also regulates the keeping of data records. Furthermore, a new way of keeping hazardous waste accompanying sheets is established – exclusively electronically, including the creation of a landfill record sheet, which will also be kept and sent exclusively electronically.
6.6.2. Does the present draft allow for the provision of data from records to other public authorities or other persons for the performance of their statutory tasks without restriction of the entity (i.e. in all cases where they need this data for the performance of statutory tasks)?	Yes No	<i>(Please specify to which public authorities or other entities it is not possible to provide data from records, even if they need them for the performance of statutory tasks, and for what reason.)</i> The data are provided in electronic form, in an automated or direct manner, free of charge and within the scope of the performance of tasks pursuant to special legislation, to the Ministry of Interior of the Slovak Republic, the Slovak Environmental Inspectorate, to district authorities and to district authorities in regional capitals in matters of state administration of waste management, customs authorities and the Police Force. Data obtained from ISOH are also provided for statistical purposes and for the verification of legal obligations (reposting) resulting from the relevant EU directives by which the Slovak Republic is bound, namely Eurostat and the European Commission.

<p>6.6.3. Is the provision of data from records electronically and in an automated manner ensured?</p>	<p>Yes No</p>	<p><i>(Please specify how the provision of data from records for other entities is ensured for the performance of their statutory tasks. If the module does not use process integration and data integration to provide the data, please state why. If electronic or automated provision is excluded, please state why.)</i></p> <p>§ 103(17) of the Waste Act provides for automated or direct access to data from ISOH registers to the Ministry of Interior of the Slovak Republic, the Slovak Environmental Inspectorate, to district authorities and to district authorities in regional capitals in matters of state administration of waste management, customs authorities and the Police Force.</p>
<p>6.6.4. Is the regime pursuant to Act No 177/2018, as amended, used for the provision of data from records?</p>	<p>Yes No</p>	<p><i>(Please specify how the electronic and automated provision of data from records is formalised at the statutory level, what regime it follows. If the application of Act No 177/2018, as amended, is ruled out, please state why.)</i></p> <p>§ 105(3)(ab) of the Waste Act transfers the details of electronic waste records to a decree, in this case to the draft Decree on record-keeping and reporting obligations. §§ 1 to 5 of the draft Decree stipulate obliged entities who are obliged to keep records and report particulars thereof, including more detailed specifications.</p> <p>§ 103(17) of the Waste Act provides for automated or direct access to data from ISOH registers to the Ministry of Interior of the Slovak Republic, the Slovak Environmental Inspectorate, to district authorities and to district authorities in regional capitals in matters of state administration of waste management, customs authorities and the Police Force.</p>
<p>Reference data</p>		
<p>6.7.1. Does the present draft envisage the creation of new data records or regulate the maintenance of data records that will be proposed for inclusion in the list of reference data pursuant to § 51 of Act No 305/2013 on e-Government?</p>	<p>Yes No</p>	<p><i>(Please specify what new data records are being established or which data records are being modified by the draft, and which data will be proposed for inclusion in the list of reference data. If no inclusion of data is planned, please state why)</i></p> <p>The draft decree regulates the keeping of data records in electronic form for selected types of registration, namely the waste record sheet and the landfill record sheet.</p> <p>The draft Decree does not introduce any new record-keeping obligations.</p>
<p>6.7.2. When is the planned inclusion of data from records in the list of reference data pursuant to § 51 of Act No 305/2013 on e-Government?</p>		<p><i>(Please specify when the above data is planned to be included in the list of reference data.)</i></p> <p>It is not planned.</p>

Environmental impact analysis
5.1 Which sectors of the environmental (especially air, water, rock, soil, organisms) will be affected by the draft and what will the impact be?
<p><i>Type, size and extent of impact</i></p> <p>Once the submitted draft decree is passed, a positive impact on the environment can be expected, consisting of reducing the consumption of paper for the keeping of waste record sheets and the sending of waste generation and management reports, which have so far been extensively kept and subsequently sent in paper form. The introduction of electronisation will reduce the need for harvesting wood, which was necessary for the production of paper for this type of activity.</p>
5.2 Will this document have an impact on protected areas and, if so, what will it be?
<p><i>Type, size and extent of impact</i></p> <p>The present document will not have an impact on protected areas.</p>
5.3 Will this document have transboundary environmental impacts? (which aspects of the environment will be affected and what will affect them the most)?
<p><i>Type, size and extent of impact</i></p> <p>The submitted document will have a positive impact on the environment past state borders, as paper used for reports sent in paper form came not only from the Slovak Republic, i.e. in the area of the waste reporting obligation the need to import and use paper from abroad will be reduced.</p>
5.4 What measures will be taken to mitigate the negative environmental impact?
<p>None, as the submitted material will not have a negative impact on the environment.</p>