

Regulation (EC) No 1013/2006 of the European Parliament
and of the Council of 14 June 2006 on shipments of waste

TITLE IV

EXPORTS ^{F1}... TO THIRD COUNTRIES

CHAPTER 2

Exports of waste for recovery

Section 1

Exports to [^{F1}non-EU,] non-OECD Decision countries

Article 37

Procedures when exporting waste listed in Annex III or IIIA

1 In the case of waste which is listed in Annex III or IIIA and the export of which is not prohibited under Article 36, the [^{F1}Secretary of State may], send a written request to each [^{F2}non-EU] country to which the OECD Decision does not apply, seeking:

- (i) confirmation in writing that the waste may be exported from the [^{F3}United Kingdom] for recovery in that country, and
- (ii) an indication as to which control procedure, if any, would be followed in the country of destination.

Each [^{F4}non-EU] country to which the OECD Decision does not apply shall be given the following options:

- (a) a prohibition; or
- (b) a procedure of prior written notification and consent as described in Article 35; or
- (c) no control in the country of destination.

2 [^{F5}The Secretary of State may, by regulations, amend Commission Regulation (EC) No 1418/2007 in order to take into account any replies received pursuant to paragraph 1 on or after exit day.]

If a country has not issued a confirmation as referred to in paragraph 1 or if a country for any reason has not been contacted, paragraph 1(b) shall apply.

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...

3 If a country indicates in its reply that certain shipments of waste are not subject to any control, Article 18 shall apply *mutatis mutandis* to such shipments.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, Article 37. (See end of Document for details)

4 Where waste is exported, it shall be destined for recovery operations within a facility which, under applicable national law, is operating or is authorised to operate in the country of destination.

5 In the case of a shipment of waste not classified under one single entry in Annex III or a shipment of mixtures of wastes not classified under one single entry in Annex III or IIIA or a shipment of waste classified in Annex IIIB, and provided that the export is not prohibited pursuant to Article 36, paragraph 1(b) of this Article shall apply.

[^{F76} For the purposes of this Article, Liechtenstein shall be deemed to be a country to which the OECD Decision applies.]

Textual Amendments

- F1** Words in Art. 37(1) substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **75(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in Art. 37(1) inserted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **75(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 37(1)(i) substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **75(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in Art. 37(1) inserted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **75(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 37(2) substituted (31.12.2020) by [The Environment and Wildlife \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/473\)](#), regs. 1, **5(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 37(2) omitted (31.12.2020) by virtue of [The Environment and Wildlife \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/473\)](#), regs. 1, **5(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 37(6) inserted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **75(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, Article 37.