Section I. - General Provisions

This Law determines the state policy in the field of waste production and consumption and is designed to help prevent the negative impact of waste production and consumption on the environment and human health when handling them, and maximum involvement in their business turnover as an additional source of raw materials.

Section I.
General provisions

Article 1. Legislation of the Kyrgyz Republic on Production and Consumption Waste

1. This Law regulates relations arising in the process of formation, collection, storage, use, disposal, transportation and disposal of industrial and consumer waste (hereinafter - waste), as well as governance, supervision and control of waste management.

2. Relationships in the field of waste management are regulated by this Law and
other normative legal acts of the Kyrgyz Republic, as well as international treaties.

3. Radioactive waste, emissions of harmful substances into the atmosphere and their discharge into water bodies are governed by special legislation.

Article 2. Definitions used in this Law
In this Act the following terms and definitions:
- waste disposal - insulation of wastes aimed at preventing the entry of contaminants into the environment and eliminates the possibility of further use of the waste;
- the use of waste - the use of waste for the production and performance of works (services), or energy;
- the competent authority - the state body for environmental protection, which, in accordance with the Regulations on him shall have the authority for the protection of the environment and natural resources and coordinates activities in the field of waste management;
- limit waste disposal - limit the amount of waste is permitted to set and to individuals or legal entities for a fixed term, taking into account the environmental situation in the region;
- low-waste technology - the process of production, which yields less waste compared to existing conventional methods of producing these products at production units;
- disposal of waste - processing (including incineration) of waste at specialized plants, leading to a reduction in the harmful effects on the environment and humans;
- waste management - all activities related to the collection, storage, use, disposal, transportation and disposal of waste;
- waste disposal facilities - landfills, storage, landfills, sludge, tailings, dumps of rocks and other off-site locations for storage and disposal of waste;
- hazardous waste - waste (except radioactive) containing in its composition substances which have one of the hazardous properties (such as toxicity, infectivity, explosiveness, combustibility, high reactivity) and are present in such quantity and in such a way that represent a direct or potential danger to human health or the environment, both independently and when it comes in contact with other substances;
- production of waste - the remains of materials, raw materials, intermediate products, formed during the production of products or performance of works and have lost wholly or partly their consumer properties, as well as related substances
formed during the manufacturing process and are not being used in this production; consumer waste - products, materials and substances that have lost their consumer properties due to their physical or mental deterioration. To waste consumption also includes municipal solid waste arising in the course of human activity; Waste passport - a document certifying the quantitative and qualitative characteristics of waste; Waste Disposal - Any operation for the storage and disposal of waste; transboundary movement of waste - any movement of wastes from an area under the jurisdiction of another State, in / or through an area under the jurisdiction of the Kyrgyz Republic; storage of waste - waste content in specially equipped storage devices to retrieve them for the purpose of burial, disposal or use; environmental impact assessment - to determine the level of environmental risk and danger of proposed solutions, the implementation of which directly or indirectly have an impact on the environment and natural resources.

Article 3. Basic principles of waste management public policy
The main principles of state policy in the field of waste management are: prioritize the introduction of low-waste technological processes; the use of economic-incentive mechanisms for involving in economic circulation of waste; the inevitability of responsibility for violation of environmental and health legislation; mandatory state environmental review when making the waste management solutions; free access in accordance with the legislation of the Kyrgyz Republic to the information in the field of waste management; decisions affecting the interests of the population, taking into account the protection of national interests.

Section II.
The powers of state bodies in the field of waste management
Article 4. Powers of local authorities
The powers of local state administrations and local authorities in the field of waste management are:
implementation of measures to prevent accidents, accidents associated with waste management;
implementation of measures to eliminate the consequences of disasters, accidents associated with waste management;
development and implementation of regional, as well as in the implementation of waste management of government programs;
control activities of enterprises and organizations located in their territories, in the field of waste management;
organization fundraising businesses and individuals, the local budget and extra-budgetary funds to finance the construction of new, expansion and reconstruction of existing facilities for treatment, processing and disposal of waste;
the rational organization of the waste collection system, providing for separate collection of components (food waste, non-ferrous and ferrous metals, textiles, glass, paper, etc.), storage, regular removal, decontamination, waste management and reclamation of territory under their jurisdiction;
providing the population with information on waste management, the status of their storage and processing in the region.

Article 5. Powers of the competent authority
By the competent authorities to include the following:
implementation of the state environmental review documents related to waste management;
the development of rules and regulations governing the procedure for the environmentally sound management of waste and waste establishing security requirements for the environment and human health;
organization conducting the state cadastre of waste;
waste management by their owners, together with the presentation of claims for compensation for damage caused by waste;
control and oversight of public authorities, local governments, businesses and individuals in the field of waste management;
International cooperation in the field of waste management, research, compilation and dissemination of international experience;
public access to the waste management information.
Section III.
Requirements for waste management

Article 6. Requirements for the design, construction and reconstruction of enterprises, buildings and other facilities
In the design, construction and reconstruction of existing enterprises, buildings, waste treatment plants, landfills for the disposal and recycling of toxic waste and other objects of legal and natural persons are obliged to:
comply with established standards, norms and other environmental quality standards in the field of waste management;
have a positive opinion of the state ecological expertise for projects and other documents regulating the activities related to waste management before the start of the project.

Article 7. Requirements for the operation of existing plants
1. Legal and natural persons in the course of operation of existing plants must:
an inventory of waste generated and to provide accurate information in static and the competent authorities;
carry out production control in the field of waste management;
to provide the necessary information to the competent authority for waste management;
comply with the requirements for the prevention of accidents;
in emergency situations with negative environmental consequences immediately inform the competent authority, local authorities and the population;
transboundary movements of wastes follow the requirements of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the present Law and other normative legal acts.
2. Operation of industries that produce hazardous waste not disposed of in environmentally safe manner, is prohibited.

Article 8. Requirements for waste disposal
1. It is forbidden to unauthorized disposal of waste, which can be a source of
pollution, as well as burning them on the territory of enterprises, institutions, organizations and communities.

2. Waste, which are sources of pollution of the environment, are subject to destruction, recycling, treatment, storage or disposal on special landfills or in other designated areas of waste disposal or incineration in special facilities.

3. Selecting the construction of facilities for waste disposal is determined by local authorities (where necessary, taking into account public opinion) in accordance with the requirements of the competent authority on the basis of environmental, geological, hydrological and other studies with a positive conclusion of the state ecological examination and in accordance with the law the Kyrgyz Republic.

4. Landfill of waste entered into the state register.

5. Disposal of waste disposal sites maintenance monitoring is mandatory. Monitoring is carried out by the owner of waste disposal facility in the manner agreed with the competent authority.

6. The owner of the waste disposal facility after the operation of the object (or site) is obliged to take measures to restore disturbed land (plots).

Article 9. Requirements to cleaning of settlements from waste

1. The territory of the village should be regularly cleaned of waste.

2. Organization of rational waste collection system that provides separate collection of valuable components, their temporary storage, regular removal and disposal is determined by local authorities and shall meet the requirements of sanitary rules, hygienic and environmental standards.

3. Monitoring compliance with established rules and norms of the maintenance of settlements provide local governments and authorities exercising state control in the field of environmental protection and sanitary-epidemiological supervision.

Article 10. Requirements for handling hazardous waste

1. Legal and natural persons whose activities are related to the formation of hazardous waste are required to provide environmental protection during handling of the environment and population of their harmful effects.

2. All hazardous waste according to their harmful effects on humans and the environment are divided into classes.

3. Hazard waste is determined by their manufacturers in accordance with the regulations approved by the public authorities for environmental protection, sanitary-epidemiological, mining and Technical Supervision, within their
Article 11. Requirements for the transport of hazardous waste
1. Transportation of hazardous waste is allowed only specially equipped vehicles.
2. The procedure for transporting waste to specific modes of transport (road, rail, water, etc.), to carry out loading and unloading works and other necessary requirements for environmental safety requirements determined by the relevant regulations.
3. Since the waste loading on the vehicle and the acceptance of their organization or individual engaged in the transportation of waste, and to upload them to the specified location of the vehicle legally responsible for the safe handling of transport organization carries with them, which owns this vehicle.

Article 12 Cross-border waste transport
1. The import of waste into the territory of the Kyrgyz Republic with a view to their placement is prohibited.
2. The procedure for state regulation of transboundary movements of hazardous and other wastes established by the Government of the Kyrgyz Republic.
3. Control over the export (import) of hazardous and other wastes is provided by public authorities of executive power in charge of customs, environmental and sanitary-epidemiological control.

Article 13. Licensing of waste management activities
The activity of legal entities and individuals associated with waste management, subject to licensing in accordance with the Law of the Kyrgyz Republic "On Licensing".

Section IV.
Control of waste management
Article 14. The state control over waste management
1. State control over waste management is carried out by the competent authority.
2. State control in the field of waste management includes:
   monitoring compliance with legal and physical entities with legal requirements for waste management, including those provided by international agreements and treaties, identifying violations of these requirements and measures to address them; monitor the implementation of environmental, health and environmental regulations for waste management;
   control over the reliability of the information and reporting on waste;
   the collection, processing and analysis of information on waste management;
   analysis of existing plants, identification of opportunities and ways to reduce the amount and severity of waste, control of their fuller involvement in economic turnover as a raw material;
   involvement in the prescribed manner the perpetrators to justice, the application of penalties, the presentation of claims for compensation caused by damage to the environment and human health as a result of violation of the legislation on waste;
   Decision-making on restriction, suspension or termination of activities in the field of waste management;
   supervision to ensure free public access to the waste management information.
3. Local governments exercise control over the management of waste within the powers established in Article 4 of this Act.
4. Decisions of the bodies exercising state control in the treatment of waste, may be appealed in the manner prescribed by the legislation of the Kyrgyz Republic.

Article 15. Production control for waste management
Organizations engaged in economic activities related to waste, organize and implement production control for waste management, the aim of which is to verify compliance with environmental, health and other requirements for waste management in accordance with the Kyrgyz legislation.

Article 16. Public control over waste management
Public control over waste management is carried out by public associations in accordance with their statutes, labor collectives and citizens - in the manner provided for by law, and includes the verification of compliance with the
Section V. Rationing, state accounting and economic regulation of the handling of waste

Article 17. Rationing waste
1. Legal and natural persons are obliged to be guided by the legislation of the Kyrgyz Republic, regulating waste management.
2. The standards limit the amount of waste disposal and limit the content of toxic substances in them are set at a level at which the disposal of waste and toxic substances contained in them, will not result in exceeding the standards of maximum permissible concentrations of pollutants in the environment.

Article 18. State registration in the handling of hazardous waste management
1. Legal and natural persons involved in the generation of hazardous waste, are their primary quantitative and qualitative account.
2. The state registration in the handling of hazardous waste management is carried out on a single system in the order established by the state statistics, ensuring the completeness and accuracy of the information provided. Legal and physical persons carry out accounting and statistical authorities are the competent authorities of a report on the availability, education and the management of hazardous waste of its own production, as well as the waste coming from the outside, in the prescribed manner.
3. The order of the primary account in the handling of hazardous waste management is established by the competent authority, and the order of the official statistical accounting - the state statistics body in coordination with the competent authority.

Article 19. The state cadastre of waste
1. A systematic set of accounting data on waste generated in the state cadastre.
2. Inventory of the waste is carried out by the competent authority for the unified methodology based on state classifiers of technical, economic and social
3. The procedure for maintaining the inventory of waste and its contents are defined by the competent authority.

Article 20 in the field of waste management Economic regulation
1. Economic regulation in the area of waste management is established on the basis of charging for waste disposal, taking into account their size, hazard class and accommodation standards. The fee for waste disposal in excess of the limit will be charged with the appropriate change.
2. Funds received from charging for waste disposal, are sent to the system of state environmental funds and used for environmental protection.
3. Mechanism and economic incentives in the area of waste management, the procedure for collecting and determining the size of fees for waste disposal are established by the legislation of the Kyrgyz Republic.

Section VI of .
Responsibility for violation of legislation on waste

Article 21. Responsibility for violation of legislation on waste
1. violations of the legislation on the production and consumption of waste include: failure to comply with the requirements of this Act, international agreements and treaties; failure to comply with standards, regulations and other environmental quality standards for waste management; causing harm to the environment and human health as well as property of legal and physical persons for waste management; failure to comply with the requirements of the primary account, untimely submission or submission of unreliable information on waste management in the relevant organs of state control and surveillance; the absence of a positive conclusion of the state ecological examination on the documentation of waste management; waste disposal in places not intended for this purpose;
failure to comply with the control and supervision of state bodies regulations;
violation of the order of cross-border transportation of waste;
violation of requirements on monitoring and remediation of landfills;
violation of the established procedure for clearing settlements from waste;
violation of the established procedure for transporting waste.

2. Natural and legal persons guilty of violation of the legislation on waste production and consumption shall be liable in accordance with the Kyrgyz legislation.

3. Prosecution does not relieve businesses and individuals on the damages caused to the health and / or property of citizens and other legal persons and the environment.

4. Pollution that occurred as a result of violation of this law, liquidated person who committed this infraction.

Article 22. Resolution of disputes
Disputes in the field of waste management shall be settled in the manner prescribed by the legislation of the Kyrgyz Republic.
Inter-state disputes are resolved in accordance with international law.

Article 23. International Treaties
If an international agreement or a treaty ratified by the Kyrgyz Republic, provided other requirements than those contained in this Act, the rules of the international treaty.

Section VII of .
Final provisions

Article 24. Entry into force of this Act
This Law shall come into force upon publication.
The Government of the Kyrgyz Republic within three months to bring their normative legal acts into conformity with this Act.

President of the Kyrgyz Republic
Akaev

Adopted by the Legislative Assembly of the Jogorku Kenesh of the Kyrgyz Republic of October 18, 2001