

NB! Unofficial translation

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Establishment of National Register of Products of Concern and Statutes for Maintenance of Register¹

Government of the Republic Regulation No. 28 of 30 January 2006

The Regulation is established on the basis of subsection 26¹ (2) of the [Waste Act](#) and in accordance with subsection 32 (1) and 34 (2) of the [Databases Act](#).

Chapter 1 GENERAL PROVISIONS

§ 1. Establishment and official name of register

A register with the official name “National Register of Products of Concern” (hereinafter register) is established by this Regulation. The official abbreviation of the name of the register is PROTO.

§ 2. Aim of establishing and maintaining register

The aim of maintaining the register is to maintain records on recovery of products of concern and waste arising from products of concern produced in, imported to and exported from Estonia (hereinafter waste) for the purpose of performance of the duties arising from the Waste Act and submission of waste-related information to the European Commission.

§ 3. Chief processor and authorised processor of register

- (1) The Ministry of the Environment is the chief processor of the register.
- (2) The Estonian Environment Information Centre, a state authority administered by the Ministry of the Environment, is the authorised processor of the Register.

Chapter 2 MANNER OF MAINTENANCE AND STRUCTURE OF REGISTER AND DATA SUBJECT TO ENTRY IN REGISTER

§ 4. Manner of maintenance and structure of register

- (1) The register is maintained as a one-level information technology database.
- (2) The register comprises:
 - 1) a digital database (hereinafter database);
 - 2) a digital entry book (hereinafter entry book);
 - 3) source documents of entries;
 - 4) registry data in the archives.
- (3) The data specified in § 5 is subject to entry in the database.
- (4) The number, name, date of issue and date of receipt of a source document received, the submitter’s name and contact details shall be entered in the entry book.

§ 5. Information subject to entry in register

- (1) Information concerning the products of concern and waste arising from products of concern specified in subsection 25 (2) of the Waste Act is entered in the register.

(2) The following information is entered in the register:

- 1) the name of the producer;
- 2) if the information is submitted by a collective scheme, the names and contact details of the producers who have joined the collective scheme;
- 3) the commercial registry code of the producer;
- 4) the postal address and the Estonian Administrative and Settlement Classification (hereinafter EHAK) code of the location;
- 5) the principal activity and the respective code of Statistical Classification of Economic Activities in the European Community (hereinafter EMTAK);
- 6) the name, telephone number, fax number and e-mail address of the authorised representative;
- 7) the name, telephone number, fax number and e-mail address of the contact person;
- 8) the name of the product of concern, the trademark and a description of the activities pertaining to the product (production, import, export and placing on the market of the product of concern);
- 9) confirmation that the product of concern is in compliance with the requirements established in Regulation No. 158 of the Government of the Republic of 29 April 2004 "Specified List of Dangerous Substances which Are Prohibited in Products of Concern and Prohibitions and Restriction on Products of Concern";
- 10) a description of the activities pertaining to the waste (a waste management plan, which specifies the projected quantity of waste generated or handled and indicates the national network for collection of waste, information about financing waste management, other persons organising waste management and manners of recovery, disposal and export of waste);
- 11) information about the existence of the respective guarantee and documents certifying the accuracy of the information, if the existence of a financial or another guarantee for ensuring collection and treatment of waste arising from the product of concern is required by legislation with regard to the respective product of concern;
- 12) weight of the imported product of concern;
- 13) weight of the produced product of concern;
- 14) weight of the exported product of concern;
- 15) weight of the supplied product of concern;
- 16) weight of the collected waste;
- 17) weight of the reused waste;
- 18) weight of the recycled waste;
- 19) weight of the waste recovered for energy recovery;
- 20) total weight of the recovered waste;
- 21) weight of the disposed waste;
- 22) weight of the waste treated in Estonia;
- 23) weight of the waste shipped to another Member State for treatment;
- 24) weight of the waste shipped outside the European Community for treatment;
- 25) weight of the recycled waste shipped to another Member State;
- 26) weight of the disposable waste shipped to another Member State;
- 27) weight of the disposable waste shipped outside the European Community;
- 28) weight of the recycled waste shipped outside the European Community.

(3) Before commencement of activities a person who is a producer for the purposes of § 23 of the Waste Act or, on his behalf, a collective scheme (hereinafter producer) shall submit the information specified in clauses (2) 1)-11) for entry in the register in the registry card form provided in Annex 1. Whoever exclusively provides financing under or pursuant to any finance agreement shall not be deemed a 'producer' unless he also acts as a producer.

§ 6. Source documents for entry of information in register

(1) The source document of an entry (hereinafter source document) is the signed information

given in the registry card forms specified in Annexes 1-9.

(2) The authorised processor of the register has the right to demand from the submitter of the information specified in subsection (1) the following additional documents to certify the accuracy of the information:

- 1) accounting documents regarding production, import, export and sales of the product of concern;
- 2) other documents regarding import, export and sales of the product of concern;
- 3) receipt documents of entrepreneurs recovering or disposing of the waste and confirmation of the recovery or disposal of the waste;
- 4) declarations of goods accepted by customs regarding the import and export of the product of concern and waste.

§ 7. Legal regime of registry information

Information entered in the register is informative, except upon tracking performance of the obligations provided in §§ 26 and 26² of the Waste Act.

§ 8. Cross-usage of information

Information is cross-used with other databases pursuant to the agreement between the chief processors of the registers.

Chapter 3 SUBMISSION OF INFORMATION IN REGISTER

§ 9. Submitter of information in register

A producer submits information in the register (hereinafter submitter of information).

§ 10. Procedure for and term of submission of information in register

- (1) Information to be entered in the register is digitally signed and submitted to the authorised processor of the register in the registry card form specified in subsection 6 (1) or submitted in a web-based database as an authorised user and if these options are not available, information is submitted on paper and, if possible, electronically.
- (2) Entering information in the database as an authorised user is equal to submission of information in digitally signed registry card form.
- (3) The authorised processor of the register registers submitted source documents and enters the information contained therein in the register or confirms the information entered in the database by an authorised user.
- (4) The authorised processor makes the digital forms of the registry card specified in subsection (1) available on the websites of the authorised processor and the Ministry of the Environment.
- (5) A submitter of information submits the information specified in § 5 with regard to the previous calendar year to the authorised processor for entry in the register or enters the information in the database as an authorised user specified in subsection (1). The information shall be submitted to the authorised processor or entered in the register not later than by March 1.

§ 11. Accuracy of registry information

- (1) The submitter of information is responsible for the accuracy of the information submitted to the register.
- (2) The authorised processor of the register has the right to make inquiries to the submitter of the information and demand the documents specified in subsection 6 (2) if there is any suspicion of the accuracy of the submitted information.

§ 12. Refusal to accept documents in register

(1) If a source document submitted in the register is not in accordance with the requirements or if the submitted information is not complete, the authorised processor of the register shall set a deadline for elimination of the deficiencies or submission of accurate information and notify the submitter of the information immediately after detection of the deficiencies.

(2) If the submitter of the information has not eliminated the shortcomings by the prescribed time, the authorised processor of the register shall refuse to accept the information in the register or to confirm the information submitted by an authorised user.

(3) The authorised processor of the register sends a notice on acceptance of a document or confirmation of information to the submitter of the document not later than within ten working days after submission of the document in the register.

Chapter 4

MAINTENANCE OF REGISTER AND ACCESS TO REGISTRY INFORMATION

§ 13. Correction of inaccurate registry information

(1) If a submitter of information identifies that information submitted to the register is inaccurate, the submitter of information shall immediately apply for correction of the registry information.

(2) To correct registry information a submitter of information sends the authorised processor of the register a notice which contains the name and contact details of the submitter and the information that is to be changed.

(3) If the authorised processor of the register detects a conflict between information previously submitted in the register and new information, the authorised processor shall immediately notify the submitter of the information thereof and, if necessary, send a notice specified in subsection (2) requiring explanations or submission of new information.

(4) If inaccurate information in the registry becomes evident, the authorised processor of the register shall close access to the inaccurate information until correction of the entry.

(5) A submitter of information shall submit accurate information within ten working days after the receipt of a notice.

(6) After receiving the notice specified in subsections (2) and (3) the authorised processor of the register shall immediately amend or correct the registry information pursuant to the notice and notify the chief processor of the register and the persons who received the inaccurate information thereof.

(7) If the information specified in subsection 5 (2) changes, the submitter of information shall submit a notice to the registrar in accordance with subsection (2) of this section within five working days after the date when the information changed.

§ 14. Archiving registry information

Archived registry information and source documents shall be preserved for 7 years.

§ 15. Release of information from register and procedure for recording release of information

(1) Registry information is released pursuant to the procedure provided in the Public Information Act.

(2) Registry information is released from the register free of charge, unless otherwise provided by legislation.

(3) Released information, date of release and the name and contact details of the person to whom the information was released are entered in the entry book.

§ 16. Release of information arising from international obligations

The chief processor forwards the information arising from international obligations according to submitted requests and by the prescribed deadline.

§ 17. Rights and obligations of chief processor of register

The chief processor of the register:

- 1) exercises supervision over maintenance of the register;
- 2) coordinates maintenance of the register;
- 3) resolves disputes arising upon maintenance of the register.

§ 18. Obligations of authorised processor of register

The authorised processor of the register shall:

- 1) if necessary, give explanations to submitters of information about filling in registry card forms;
- 2) record submission of information in and release of information from the register. Records shall be kept by calendar years;
- 3) submit documents pertaining to the maintenance of the register to persons exercising supervision or to other persons entitled to access the information.

Chapter 5

SUPERVISION OVER MAINTENANCE OF REGISTER, FINANCING MAINTENANCE OF REGISTER AND LIQUIDATION OF REGISTER

§ 19. Persons authorised to exercise supervision and procedure for exercising supervision

(1) The chief processor of the register exercises supervision over maintenance of the register. The Data Protection Inspectorate exercises data protection supervision over the lawfulness of maintenance of the register.

(2) The supervisor has the right to:

- 1) access the information entered in the register and documents certifying the information;
- 2) enter the premises where the information is processed and where equipment used for processing is located;
- 3) receive information about release of information from the register and use of the information.

(3) If deficiencies become evident upon maintenance of the register, the authorised processor of the register shall eliminate the deficiencies specified in the precept by the deadline established by the supervisor.

§ 20. Financing of register

The register is financed from state budget through the budget of the authorised processor of the register.

§ 21. Liquidation of register

(1) Liquidation of the register shall be decided by the Government of the Republic.

(2) The register shall be liquidated pursuant to the procedure provided for in the Databases Act and Archives Act.

§ 22. Implementing provisions

(1) A producer operating before this Regulation enters into force shall submit the information specified in clauses 5 (2) 1)-11) for entry in the register by 20 February 2006.

(2) Upon registration of the information specified in subsection (1), a producer of electrical and electronic equipment shall, regarding 2005, submit the information specified in Annex 2 as from 13 August 2005.

(3) By the last date of each quarter in 2006 a producer shall submit the information specified in Annex 2 for entry in the register.

¹ Commission Decision 2005/293/EC laying down detailed rules on the monitoring of the reuse/recovery and reuse/recycling targets set out in Directive of the European Parliament and of the Council on end-of-life vehicles (OJ L 94, 13.04.2005, pp 30-33); Commission Decision 2005/369/EC laying down rules for monitoring compliance of Member States and establishing data formats for the purposes of Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment (OJ L 119, 11.05.2005, p. 13).

Andrus ANSIP, Prime Minister
Villu REILJAN, Minister of the Environment
Heiki LOOT, State Secretary

PRODUCER

1. Producer’s business name (name) or name of collective scheme
2. Names of persons who have joined the collective scheme (the list can be submitted on a separate sheet)
3. Commercial registry code
- 4¹. Postal address and EHAK code of the location
- 5¹. Principal activity and the respective EMTAK code
- 6¹. Authorised representative: Name
- Phone No.
- Fax No.
- E-mail address
7. Contact person: Name
- Phone No.
- Fax No.
- E-mail address
8. Name of product of concern, trademark, confirmation that the product complies with the requirements established by Government of the Republic Regulation No. 158 of 29 April 2004 and a description of the activities pertaining to the product (production, import, export and placing on the market of the product of concern, information about the financial guarantee if required by legislation)
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9. Description of the activities pertaining to the waste (a waste management plan, which specifies the projected quantity of waste generated or handled and indicates the national network for collection of waste, information about financing waste management, other persons organising waste management and manners of recovery, disposal and export of waste)
.....

¹ Sections 4, 5 and 6 shall filled in by the authorised processor of the register

Date

Signature

QUANTITIES OF PRODUCTS OF CONCERN PRODUCED IN, EXPORTED FROM, IMPORTED TO AND PLACED ON THE MARKET IN ESTONIA IN (YEAR)

Producer's business name (name) or name of collective scheme								
Commercial registry code								
Product types	Produced		Exported		Imported		Placed on the market	
	t	pcs	t	pcs	t	pcs	t	pcs
Electrical and electronic equipment ¹								
1. Large household appliances								
2. Small household appliances								
3. IT and telecommunications equipment								
4. Consumer equipment								
5. Lighting equipment								
5a. Electric discharge lamps								
6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)								
7. Toys, leisure and sports equipment								
8. Medical devices (with the exception of all implanted and infected products)								
9. Monitoring and control instruments								
10. Automatic dispensers								
Batteries ²								
Accumulators ²								

Tyres								
1. Motor vehicles of category M ₁ and N ₁ ³								
2. Other								
Total motor vehicles								
Incl. by models								
1.								
2.								
3.								
4.								
5.								
Total motor vehicle parts ⁴								
1. Large plastic parts								
2. Fluids (except fuel)								
3. Metal parts								

¹ According to Annex 1 to Government of the Republic Regulation No. 376 of 24 December 2004 “Requirements and Procedure for Marking Electrical and Electronic Equipment, Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets.”

² Battery and accumulator pursuant to clause 25 (2) 1) of the Waste Act by classifying them on the basis of the hazardous substances contained therein.

³ According to Addendum B “Vehicle Categories” of Regulation No. 50 of the Minister of Transport and Communications of 18 May 2001 “Requirements for Technical Condition and Equipment of Motor Vehicles and Trailers Thereof.”

⁴ Classify based on material.

Date

Signature

TREATMENT OF PARTS AND MATERIALS OBTAINED UPON DISMANTLING END-OF-LIFE VEHICLES IN ESTONIA IN
(YEAR) (TONS)

Producer's business name (name) or name of collective scheme					
Commercial registry code					
Parts and materials obtained upon dismantling	Reuse	Recycling	Energy recovery	Total recovery	Disposal
	(A)	(B1)	(C1)	(D1=B1+C1)	E1
Accumulators					
Fluids (except fuel)					
Oil filters					
Other materials obtained upon releasing waste of products of concern (except fuel)					
Catalysts					
Metal parts					
Tyres					
Large plastic parts					
Glass					
Other parts and materials obtained upon dismantling					
Total					

Date

Signature

Villu REILJAN, Minister of the Environment

TREATMENT OF WASTE GENERATED IN ESTONIA AND OBTAINED UPON SHREDDING END-OF-LIFE VEHICLES IN
(YEAR) (TONS)

Producer's business name (name) or name of collective scheme				
Commercial registry code				
Waste obtained upon shredding	Recycling	Energy recovery	Total recovery	Disposal
	(B2)	(C2)	(D2=B2+C2)	E2
Ferrous metal waste (cast iron, steel)				
Non-ferrous metal (aluminium, copper, zinc, lead, etc.) waste				
Shredded Light Fraction (SLF)				
Other waste				
Total				

Date

Signature

Villu REILJAN, Minister of the Environment

END-OF-LIFE VEHICLES AND PARTS THEREOF GENERATED IN AND EXPORTED FROM ESTONIA IN (YEAR) (TONS)

Producer's business name (name) or name of collective scheme					
Commercial registry code					
Total weight of exported end-of-life vehicles (parts)		Total recycling of exported end-of-life vehicles (parts)	Total recovery of exported end-of-life vehicles (parts)	Total disposal of exported end-of-life vehicles (parts)	
		(F1)	(F2)	(F3)	
End-of-life vehicles					
Parts of end-of-life vehicles					

Date

Signature

TOTAL REUSE, RECOVERY AND RECYCLING OF END-OF-LIFE VEHICLES GENERATED IN ESTONIA AND TREATED IN ESTONIA OR ELSEWHERE IN (YEAR) (TONS)

Producer's business name (name) or name of collective scheme				
Commercial registry code				
Recovery	Total qty recycled	Recovered qty	Reused and recycled qty	Total reused and recycled qty
(A)	(B1+B2+F1)	(D1+D2+F2)	(X1=A+B1+B2+F1)	(X2=A+D1+D2+F2)
			Rate of reuse and recycling of end-of-life vehicles (%)	Rate of reuse and recovery of end-of-life vehicles (%)
			X1/W1	X2/W1
W (total number of end-of-life vehicles) = ...				
W1 (total weight of end-of-life vehicles) = ...				

Date

Signature

equipment

8. Medical devices (with the exception of all implanted and infected products)
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9. Monitoring and control instruments

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10. Automatic dispensers

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Date

Signature

the exception of large-scale stationary industrial tools)

7. Toys, leisure and sports equipment

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8. Medical devices (with the exception of all implanted and infected products)

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9. Monitoring and control instruments

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10. Automatic dispensers

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Date
Signature

IMPORT TO, COLLECTION, TREATMENT AND EXPORT FROM ESTONIA OF SCRAP TYRES¹ OR USED ACCUMULATORS² OR USED BATTERIES² IN (YEAR) (TONS)

Producer's business name (name) or name of collective scheme								
Commercial registry code								
Product of concern	Import	Collected	Recovery	Recycling (R)	Energy recovery (E)	Total reuse (R+E)	Disposal	Export

¹ In the case of scrap tyres, classify scrap tyres and other things of motor vehicles of categories M₁ and N₁.

² Classify used accumulators or batteries based on the hazardous substances contained therein.

Date

Signature