

APPROVED BY:

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METHODOLOGICAL GUIDELINES
dated 3 April 2008, with adjustment of point 2 dated 15 July 2008
and dated 21 March 2013
on treating vehicles as waste in the transboundary shipment of waste

issued on the basis of § 1(2)(4) of the Agreement of 7 February 2007 between the Minister of Finance, the Chief Inspector of Environmental Protection and the Commander-in-Chief of the Border Guards on cooperation in the area of transboundary shipment of waste and considering the Agreement of 26 July 2006 between the Chief Inspector of Environmental Protection and the Chief Inspector for Road Transport on cooperation between the Inspection of Environmental Protection and the Road Transport Inspection to ensure uniform interpretation of the national, community and international law pertaining to the transboundary shipment of waste.

It is recommended that the services reporting to the following authorities follow the "Methodological Guidelines": Chief Inspector of Environmental Protection, Minister of Finance, Commander-in-Chief of the Border Guard and Chief Inspector for Road Transport.

A vehicle subject to transboundary shipment meets the definition of "waste", specified in Article 3(1)(6) of the Act of 14 December 2012 on waste (Journal of Laws from 2013, item 21) - "waste shall mean any substance or object, which the owner is disposing of, intends to dispose of or is obliged to dispose of", provided that:

1. The former owner disposed of the damaged vehicle which has a vehicle ownership document confirming that the vehicle is not suitable for repair or was withdrawn from use ("Certificate of Destruction", "Damage Equal to the Value", "For Parts Only", "Non Rebuildable", "Non Repairable", etc.);

2. The previous owner disposed of the damaged vehicle which has a vehicle document other than the one referred to in point 1 and the damaged vehicle requires repairs going beyond minor repairs specified in “Correspondents' Guidelines No 9 on shipment of waste vehicles”¹;
3. The statement of the Party or documents (invoice) show that the vehicle was bought for spare parts;
4. Part of the vehicle or its individual elements are shipped, which cannot be installed directly in vehicles, and parts disassembled from vehicles which when reused pose safety hazard in the road traffic or have a negative environmental impact (these parts are listed in the Regulation of the Minister of Infrastructure of 28 September 2005, Journal of Laws No 201, item 1666).

At the same time “Methodological guidelines on treating damaged vehicles as waste in transboundary shipment of waste” issued by the Chief Inspector of Environmental Protection on 9 July 2007 are revoked.

Whenever a public administration authority identifies illegal transboundary shipment of waste, it should collect the necessary documentation and submit it to the Chief Inspector of Environmental Protection. As far as possible, documents drawn up in a foreign language should be submitted translated into Polish by a sworn translator.

¹ On 8 July 2011, guidelines on shipment of waste vehicles were agreed at the meeting of the EU correspondents for the Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. The guidelines represent the common understanding of all Member States on how the abovementioned Regulation should be interpreted.