



SUMMARY OF CASE LAW ON WASTE PRODUCER LIABILITY IN EUROPE

HUNGARY

The law in Hungary was changed in 2012 to transpose the Revised Waste Framework Directive. It is still too early as of this time (February 2015), to expect written court decisions under the new law. However, the statute now leaves no doubt as to the responsibility of waste producers to assure the safe final disposition of their wastes.

The [Waste Law of 2012](#), requires that the producer of the holder of the waste generated in the exercise of its activities, or otherwise required to collect waste that they receive, as well as to ensure the recovery or disposal. Article 31(1) provides that the waste holder shall assure management of the waste. Article 31(4) provides that the use of a waste intermediary or transporter ***“does not relieve [‘the original waste holder’ of] the responsibility of carrying out a complete recovery or disposal operation.”***

One Hungarian legal writer noted *“the polluter pays principle is based on the producer holder or with waste product manufacturer is responsible for waste management to pay the costs, or dispose of the waste; the polluter or contributors be liable for pollution caused by waste, correcting the environmental restoration of the state and the damage caused reimbursement, including the cost of recovery as well.”* [“Thoughts on the “polluter pays” principle: application problems,”](#) CSÁK CSILLA (2013).

Note: Nothing in the waste law transposed into national law supersedes, replaces or negates potential liability under the Environmental Liability Directive or the Industrial Emissions Directive (IPPC). Both of which have been applied to waste producers.

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