



SUMMARY OF CASE LAW ON WASTE PRODUCER LIABILITY IN EUROPE

SLOVENIA

This jurisdiction is perhaps too small to have reported decisions on the issue of waste producer liability. However, as the Revised Waste Framework Directive was transposed, Slovenia added language to their law that makes waste producers strictly liable for wherever their wastes end up.

[Official Gazette of RS, no. 103/2011 of 16 12 2011](#)

Article 21

(Obligation to provide treatment)

“(1) The original producer of the waste or other waste holder must ensure that the processing of waste so that they:

- 1. process themselves,*
- 2. transfer or leave with a collector or*
- 3. award to the processing to a contractor.*

“(2) Notwithstanding the provisions of the preceding paragraph, the original producer or other holder of non-hazardous waste is sold to the dealer, if it ensure their treatment. In the case referred to in the preceding sentence shall be deemed to be an obligation of the original producer or other holder of the waste in the previous paragraph regarding the provision of waste treatment is met when the waste treatment carried out in full.”

Consequently, Slovenia joins many other European countries imposing strict liability of a waste producer, regardless of whether the treatment and disposition of the wastes is onsite or with third-parties.

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.

CONTACT INFORMATION:

Randy Mott JD, Director for Europe, the Middle East and Africa, CHWMEG, +48-607339012, europa@chwmeq.org.

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