

wts newsletter

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highlights

Paying environmental product fee does not give exemption from providing waste management data – By now, companies affected by the environmental product fee are surely familiar with the obligation to provide waste management data. With the looming deadlines this is something else on their to-do list for the beginning of the year, and so it is often delayed or even forgotten completely.

Paying environmental product fee does not give exemption from providing waste management data

Waste management data supply

Failure to meet obligation incurs penalty of **up to HUF 1 million (EUR 3,200)**

Payment of environmental product fee **does not provide exemption**

packaging	batteries, accumulators, electronic equipment
by 31 January 2017 on paper	by 20 February 2017 electronically
	administrative fee of HUF 75,000 (EUR 240)

*By now, companies affected by the environmental product fee are surely familiar with the obligation to provide waste management data. With the looming deadlines this is something else on their to-do list for the beginning of the year, and so it is often delayed or even forgotten completely. It is definitely worth paying attention to meeting this deadline on time because the National Inspectorate for Environment, Nature and Water **can impose a waste management penalty up to HUF 1 million (EUR 3,200)** in the event you are late, or simply don't comply at all. Please be aware that **paying the environmental product fee does not exempt you from your obligation to supply waste management data.***

Below we respond to some basic questions about this topic.

Which products generate an obligation to supply waste management data?

Packaging waste, electronic waste such as batteries and accumulators.

Who is obliged to supply data?

According to the relevant government decrees, data must be supplied, among others, by **manufacturers** and intermediaries. It is important to note that it is not only domestic producers of packaging or domestic producers of batteries, accumulators and electronic equipment that qualify as manufacturers, but also the enterprises that import the aforementioned products from abroad and then distribute them in Hungary.

What is the deadline for supplying the data?

The deadline for providing data with regard to packaging waste is **31 January 2017**. For batteries, accumulators as well as electric and electronic equipment, however, there is a little more time available. In these cases, the annual data must be provided by **20 February 2017**.

To whom and in what form should the data be provided?

Data must be given to the National Inspectorate for Environment, Nature and Water in respect of all three product ranges. **In the case of packaging, data may only be supplied on paper**, on the form that can be downloaded from the Inspectorate's website. The data related to batteries, accumulators and electronic equipment can only be provided electronically – via the government portal – for which authorisation must be requested in advance, also electronically.

Is there any other obligation in connection with the data supply?

Yes. To be able to provide this data, the party concerned has to **keep records** on a continuous basis. Additionally, in the case of batteries, accumulators and electronic equipment, **preliminary registration** with the Inspectorate is necessary. Both registrations take place electronically and an **administrative fee** is charged amounting to **HUF 75,000** (EUR 240) in both cases.

Does payment of the environmental product fee provide exemption from supplying data?

It is not possible to gain exemption from supplying data just by paying the environmental product fee, only the content of the data supply becomes simpler because the waste collection, recycling and management obligation generated by the affected products will qualify as fulfilled upon payment of the product fee, so no data has to be provided regarding these activities.

How much is the penalty if the data supply obligation is not fulfilled or when it is fulfilled late?

If the data supply obligation is not met, or when it is met late, the National Inspectorate for Environment, Nature and Water may levy a waste management penalty, which is **generally HUF 200,000** (EUR 650). However, if the data supply obligation is not fulfilled, or when it is fulfilled late regarding batteries and accumulators, the penalty is **HUF 500,000** (EUR 1,600), which may increase to **HUF 1 million** (EUR 3,200) in the event of repeated infringements.

The newsletter accurately reflects the statutory provisions as they stand at the time of its issue.
The authors of the news articles have endeavoured to provide general information that both reads well and is professional.
Given the general nature of the content and possible changes to legal regulations, please contact us if you require this information tailored to your personal circumstances.

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