

DECREE No. 44

of the Ministry of Economy of the Slovak Republic

dated 19 February 1999,

Implementing Act on the Prohibition of Chemical Weapons, and on Changes and Amendments to some Acts

The Ministry of Economy of the Slovak Republic pursuant to § 42 section 3 of Act No. 129/1998 Coll. on the Prohibition of Chemical Weapons, and on Changes and Amendments to some Acts hereby decrees as follows:

§ 1

Classification of the scheduled chemicals in individual Schedules

(1) Under the international Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction (further only Convention) the scheduled chemicals are listed in the following Schedules:

- a) highly dangerous chemicals (Annex 1 to the Convention),
 - b) dangerous chemicals (Annex 2 to the Convention),
 - c) less dangerous chemicals (Annex 3 to the Convention),
- (further only "Annex 1, 2 and 3").

(2) Criteria for listing the scheduled chemicals in the Schedules set forth in §1 are identified in Guidelines for schedules of chemicals of the Annex to the Convention.

§ 2

Scheduled Chemicals Recording

(1) Each legal entity of natural person shall be obliged to keep the records on amount of scheduled chemicals listed in the Annex to the Convention in Schedules 1, 2 and 3 in accordance with the master form specified in attachment No.1

(2) Records under § 1 must be kept in a way that any data in the records can not be changed retrospectively. Any incorrect data shall be changed in a way that original record remains readable.. In records of the scheduled chemicals under the Schedules 1, 2 and 3 of the Convention Annex, the toxic chemicals and precursors are kept separately

(3) Records shall be filed by a user for a period of five years following the end of scheduled chemicals handling and archived thereafter.

(4) Licence for a licence for handling of highly dangerous chemicals shall be an integral part of the records. Master form for a licence is specified in attachment No.2, master forms for export and import licence for highly dangerous chemicals are specified in attachments No. 3 and 4 and master form for application for transit of highly dangerous chemical is specified in attachment No. 5.

(5) Filled declaration forms shall be part of the scheduled chemicals records.

§ 3

Amounts of Highly Dangerous Chemicals Applicable for Declarations and subject and form of the submitted declarations

- (1) Obligation to declare highly dangerous chemicals covers the following:
- a) objects where handling of highly dangerous chemicals exceeds 100 g a calendar year per facility
 - b) export/import of any highly dangerous chemicals in any amount or a mixture using any highly dangerous chemicals in any concentration exported or imported from/in the Slovak Republic in any amount.

(2) specification of a declaration under the Convention's Part VI of the Verification Annex is set forth in attachment No.6.

§4

Amounts of Dangerous Chemicals Applicable for Declarations and subject and form of the submitted declarations

- (1) Obligation to declare dangerous chemicals covers the following:
- a) object where Schedule 2 chemicals are handling
 - i) in amount exceeding 1 kg of dangerous chemical listed in Schedule 2* A
 - ii) in amount exceeding 100 kg of dangerous chemical listed in Schedule 2A
 - iii) in amount exceeding 1000 kg of dangerous chemical listed in Schedule 2B,
 - b) export/import of dangerous chemicals listed in Schedule 2 of the Convention Annex
 - i) in amount exceeding 100 g of dangerous chemical marked (*) in Schedule 2A or in amount exceeding 1000 g of a mixture having such chemical in concentration exceeding 10 per cent,
 - ii) in amount exceeding 10 kg of dangerous chemical listed in Schedule 2A or in amount exceeding 100 kg of a mixture having at least one such chemical in concentration exceeding 10 per cent,

iii) in amount exceeding 100 kg of dangerous chemical listed in Schedule 2B or in amount exceeding 1000 kg of a mixture having at least one such chemical in concentration exceeding 10 per cent,

(2) specification of a declaration under the Convention's Part VII of the Verification Annex is set forth in attachment No.7.

§ 5

Amounts of Less Dangerous Chemicals Applicable for Declarations and subject and form of the submitted declarations

- (1) Obligation to declare dangerous chemicals covers the following:
- a) object where Schedule 3 less dangerous chemicals are handling in amounts exceeding 30 tonnes of less dangerous chemical listed in Schedule 3 of the Convention Annex,
 - b) export/import of less dangerous chemicals listed in Schedule 3 of the Convention Annex in amount exceeding 3 tonnes of pure less dangerous chemical or in amount exceeding 12 tonnes of a mixture having at least on such chemical in concentration exceeding 25 per cent

(2) specification of declarations under the Convention's Part VIII of the Verification Annex is set forth in attachment No.8.

§ 6

Amounts of Discrete Organic Chemicals Applicable for Declarations and subject and form of the submitted declarations

- (1) Obligation to declare covers the objects which produce DOC in amounts exceeding the following:
- a) 30 tonnes of individual DOC containing the elements phosphorus, sulphur or fluorine a calendar year per one facility,
 - b) 200 tonnes of DOC a calendar year per one facility

(2) specification of declarations under the Convention's Part IX of the Verification Annex is set forth in attachment No.9.

§ 7

Subject and Form of the Submitted Declarations for Riot Control Agents

Specification of declarations under the Article III section 1 e of the Convention is set forth in attachment No.10.

§ 8

Limitation of handling highly dangerous chemicals

- (1) Legal entities can use highly dangerous chemicals only at
 - a) a single small-scale facility for research, medical, pharmaceutical or protective purposes. The production shall be carried out in reaction vessels in production lines not configured for continuous operation. The volume of such a reaction vessel shall not exceed 100 litres, and the total volume of all reaction vessels with a volume exceeding 5 litres shall not be more than 500 litres.
 - b) a facility where production of Schedule 1 chemicals for protective purposes in aggregate quantities not exceeding 10 kg per year,
 - c) any facilities producing Schedule 1 chemicals for research, medical or pharmaceutical purposes in aggregate quantities not exceeding 10 kg per year per facility,
 - d) laboratories for research, medical or pharmaceutical purposes, but not for protective purposes in aggregate quantities less than 100 g per year per facility.
- (2) Production of highly dangerous chemicals for research, medical, pharmaceutical or protective purposes at a single small-scale facility shall be carried out on the territory of the Slovak Republic only at one facility.
- (3) Production of highly dangerous chemicals for protective purposes shall be carried out on the territory of the Slovak Republic only at one facility.
- (4) Mixtures containing highly dangerous chemicals in any aggregate quantities shall be exported only from States Parties to the Convention and imported only to States Parties to the Convention.

§9

Entry into Force

This Decree shall enter into force by date of publication.

Ľudovít Ľernák by hand

**Attachment No.1
to the Decree 44/1999 Coll**

**Ministry of Economy of the Slovak Republic
Office for Control of the Prohibition of Chemical Weapons
Mierova 19
827 15 Bratislava**

Receipt date:
Item No.:
Given to:
Controlled by:
Approved by:

**Application
for issuance of licence for handling highly dangerous chemicals**

A) Data on applicant (legal entity):

Name - business name	
Seat	
Legal form	
Ident. No. - "IĚO"	
Telephone	
Fax	
Mail	

B) Members of the Supervisory Board:

Name, family name	permanent residence address	Personal Identification. No.	Nationality	Subject of activity

Responsible representative - proxy:

Name, family name	permanent residence address	Personal Identification. No.	Nationality	Subject of activity

C) Purpose and method of handling highly dangerous chemical:

1. Development	6. Transfer
2. Production.....	7. Import
3. Processing.....	8. Export
4. Use	9. Transit
5. Stockpiling	10. Others

D) Details on highly dangerous chemical:

Chemical name	Quantity	Purpose and method of use	End use (destination)

E) Purpose and characteristics of the highly dangerous chemical production:

1. SSSF 2. Facility for protective purposes 3. Facility for research purposes 4. Facility for medical purposes 5. Facility for pharmaceutical purposes 9. Other facility for research purposes not producing highly dangerous chemicals	6. Lab for protective purposes 7. Lab for medical purposes 8. Lab for pharmaceutical purposes
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F) Proposed terms for validity of licence:

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Attachments (specification of documents according §13 part 3 of Act No. 129/1998 Coll on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts).

Date:

**Signature of responsible officer
seal**

**Attachment No.3
to the Decree 44/1999 Coll**

**Ministry of Economy of the Slovak Republic
Licence Office
Mierova 19
827 15 Bratislava**

Receipt date:
Item No.:
Given to:
Controlled by:
Approved by:

**Application for licence on export
of highly dangerous chemical**

Chemical name	
Registration No. Chemical abstract service C A S	

1. Name and address of the Slovak exporter IÈO phone/fax/mail	2. Name and address of foreign contractual partner phone/fax/mail
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<p>3. Name and address of end-user (IÈO)</p> <p>state</p> <p>phone/fax/mail</p>	<p>4. Name and address of producer</p> <p>IÈO</p> <p>phone/fax/mail</p>
<p>5. Custom office in charge</p>	<p>6. Place of custom clearance</p>
<p>7. No. and date of issuance of licence for handling the highly dangerous chemicals</p>	
<p>8. Detailed description of chemical (trade name, technology of production)</p> <p>Aggregate quantity and value</p>	<p>Classification No. (ECCN)</p> <p>Item in custom tariff</p> <p>quantity -unit</p> <p>value(currency)</p>
<p>9. Placement (ways of transport and identification of transport routes)</p>	
<p>10. Purpose of export</p>	

<p>11. Hereby I certify that all data are correct and complete. I will provide access for control of these data by appropriate state bodies. I am aware that any violation of conditions for export under §19 - 24 of Act No. 129/1998 Coll. on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts, can be penalised under §41 part.1 a) and b) of Act No. 129/1998 Coll. on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts.</p>	
<p>12. Proposed terms for validity of licence</p>	
<p>Signature and seal of exporter Name and surname (written by type machine)</p>	<p>Signature and seal of producer Name and surname (written by type machine) Date</p>
<p>13. Responsible person for exporter (name, surname) : Personal Identification No.: Phone: Fax: Mail:</p>	<p>14. Attachment (specification of documents under § 21 part. 4 of Act No. 129/1998 Coll on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts).</p>

**Attachment No.4
to the Decree 44/1999 Coll**

**Ministry of Economy of the Slovak Republic
Licence Office
Mierova 19
827 15 Bratislava**

Receipt date:
Item No.:
Given to:
Controlled by:
Approved by:

**Application for licence on import
of highly dangerous chemical**

Chemical name	
Registration No. Chemical abstract service C A S	

1. Name and address of the Slovak importer IÈO phone/fax/mail	2. Name and address of foreign contractual partner phone/fax/mail
3. Name and address of end-user (IÈO) phone/fax/mail	4. Name and address of producer, state of origin phone/fax/mail

5. Custom office in charge	6. Place of custom clearance
7. No. and date of issuance of licence for handling the highly dangerous chemicals	
8. Detailed description of chemical (trade name, technology of production)	Classification No. (ECCN)
	Item in custom tariff
	quantity -unit
Aggregate quantity and value	value(currency)
9. Placement (ways of transport and identification of transport routes)	
10. Purpose of import	
11. Hereby I certify that all data are correct and complete. I will provide access for control of these data by appropriate state bodies. I am aware that any violation of conditions for export under §19 - 24 of Act No. 129/1998 Coll. on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts, can be penalised under §41 part.1 a) and b) of Act No. 129/1998 Coll. on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts.	
12. Proposed terms for validity of licence	

<p>Signature and seal of foreign contractual partner</p> <p>Name and surname (written by type machine)</p>	<p>Signature and seal of end-user</p> <p>Name and surname (written by type machine)</p> <p>Date</p>
<p>13. Responsible person for importer (name, surname) :</p> <p>Personal Identification No.:</p> <p>Phone:</p> <p>Fax:</p> <p>Mail:</p>	<p>14. Responsible person for end-user (name, surname):</p> <p>Personal Identification No.:</p> <p>Phone:</p> <p>Fax:</p> <p>Mail:</p>
<p>15. Attachment (specification of documents under § 21 part. 4 of Act No. 129/1998 Coll on Prohibition of Chemical Weapons and on Changes and Amendments to some Acts).</p>	

**Attachment No.5
to the Decree 44/1999 Coll**

**Ministry of Economy of the Slovak Republic
Office for Control of the Prohibition of Chemical Weapons
Mierova 19
827 15 Bratislava**

Receipt date:
Item No.:
Given to:
Controlled by:
Approved by:

Application for licence on transit
(Application for licence on changing the transit route)
of highly dangerous chemical

Chemical name	
Registration No. Chemical abstract service C A S	

1. Name and address of the Transporter state phone fax mail	2. Custom office designated as the point of entry for the transit on the Slovak territory
3. Custom office designated as the point of exit for the transit on the Slovak territory	.

Initial declaration of chemicals and facilities under Schedule 1

Application form C-1: Initial declaration of existing objects under Schedule 1

Identify which items are declared

Single small-scale facility (SSSF)

Other facilities for protective purposes:.....

Other facilities for research, medical and pharmaceutical purposes:.....

(Make complete the attachment I to form C of declarable SSSF and attachment II to form C of other facilities under Schedule 1.).

Protected information:

There are any protected data in this part?

- if yes, please specify the highest level of protection

- if yes, specify also required protection under lines and/or tables, identified " / . " on the relevant application forms

Declaration of chemicals and facilities under Schedule 1

Application form C-2: Initial declaration of new objects under Schedule 1

Identify which items are declared

Single small-scale facility (SSSF)

Other facilities for protective purposes:.....

Other facilities for research, medical and pharmaceutical purposes:.....

(Make complete the attachment I to form C of declarable SSSF and attachment II to form C of other facilities under Schedule 1.).

Protected information:

There are any protected data in this part?

- if yes, please specify the highest level of protection

- if yes, specify also required protection under lines and/or tables, identified " / . " on the relevant application forms

Initial declaration of chemicals and facilities under Schedule 1

Application form C-3: Annual declaration of chemicals and objects activities under Schedule 1 in the past year

Identify which items are declared

Single small-scale facility (SSSF)

Other facilities for protective purposes:.....

Other facilities for research, medical and pharmaceutical purposes:.....

(Make complete the attachment I to form C of declarable SSSF and attachment II to form C of other facilities under Schedule 1.).

Protected information:

There are any protected data in this part?

- if yes, please specify the highest level of protection

- if yes, specify also required protection under lines and/or tables, identified " / . " on the relevant application forms

**Attachment No.7
to the Decree 44/1999 Coll**

Application form 2.1 Declaration of export and import under Schedule 2

Code of exporter / importer

/. Company name:

/. Name of the owner of a company or factory:

/. Address (street)

/. City (district)

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.Application form 2.1.1 Declaration of export and import under Schedule 2

Code of exporter / importer

/. Chemical name IUPAC

/. Registration No. CAS :

/. Quantity exported:

/. Quantity imported:

/. Exporting / importing State

/. Name of importer or exporter

/. Address (street)

**Attachment No.8
to the Decree 44/1999 Coll**

Application form 3.1 Declaration of export and import under Schedule 3

Code of exporter / importer

/. Company name:

/. Name of the owner of a company or factory:

/. Address (street)

/. City (district)

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.Application form 3.1.1 Declaration of export and import under Schedule 3

Code of exporter / importer

/. Chemical name IUPAC

/. Registration No. CAS :

/. Quantity exported:

/. Quantity imported:

/. Exporting / importing State

/. Name of importer or exporter

/. Address (street)

**Attachment No.9
to the Decree 44/1999 Coll**

Application form 4.1 Declaration of Other chemical production facilities"

Code of production zone

/. Name of production zone:

/. Name of the owner of a company or factory running the production zone:

/. Address (street)

/. City (district)

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.For producing zones which produce more than 200 tonnes of DOC

**Attachment No.10
to the Decree 44/1999 Coll**

Application form 5.1 Declaration of riot control agents

/./ Name of the owner of a company or factory:

/./ Address (street)

(repeat this block of information as many as it is necessary for declaration of each RCA chemicals)

/./ Chemical name IUPAC
Trade name
Structural scheme (in attachment):
/./ Registration No. CAS :

/./ Chemical name IUPAC
Trade name
Structural scheme (in attachment):
/./ Registration No. CAS :

/./ Chemical name IUPAC
Trade name
Structural scheme (in attachment):
/./ Registration No. CAS :

/./ Chemical name IUPAC
Trade name
Structural scheme (in attachment):
/./ Registration No. CAS :