

## **ANNEX 2**

**MFSA**

MALTA FINANCIAL SERVICES AUTHORITY

***Registry of Companies***

**Limited Liability Company**

***Companies Act, 1995***

**Extract from the  
Registered Documents  
of**

**WASTESERV MALTA LIMITED**

Registration No. C 30560

Registered on the 26th day of NOVEMBER 2002

**WASTESERV MALTA LIMITED**

Registration No. C 30560

Registered on the 26th day of NOVEMBER 2002

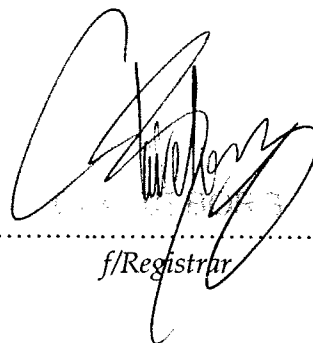
Company No. ....C 30560.....

## ***REGISTRY OF COMPANIES***

*MALTA FINANCIAL SERVICES AUTHORITY*

*MALTA*

I certify that the following and attached is a true copy of document/s filed and registered in terms of the provisions of the Companies Act, 1995.



.....  
f/Registrar

This .....19th..... day of .....December..... 20 ...05...

C 30560/8

Form K

No. of Company C 30560

- 9 DEC 2005



COMPANIES ACT, 1995

Notification of changes among directors or company secretary or in the representation of a company

Pusuant to Section 146 (1)

Name of Company WASTESERV MALTA LIMITED

Delivered by Dr PIERRE LOFARO

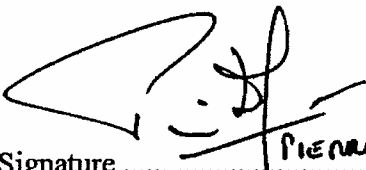
To the *Registrar of Companies*:

(a) WASTESERV MALTA LIMITED

hereby gives notice in accordance with Section 146 (1) of the Companies Act, 1995 that:-

Mr Francis Bugeja, holder of identity card number 228769 (M), residing at Delmonte, 3, Triq FM Ferretti, B'Bugia, BBG 05 is appointed to the office of company director and judicial and legal representative.

Effective date of change will be this 26<sup>th</sup> day of September of the year 2005.

  
Signature ..... PIERRE LOFARO  
Secretary

Dated this 17<sup>th</sup> day of November of the year 2005

*This form must be completed in typed form.*

(a) State company name.

\* Delete as necessary.

C 30560/7

Form K

No. of Company C 30560

- 9 DEC 2005



COMPANIES ACT, 1995

Notification of changes among directors or company secretary or in the representation of a company

Pusuant to Section 146 (1)

Name of Company WASTESERV MALTA LIMITED

Delivered by Dr PIERRE LOFARO

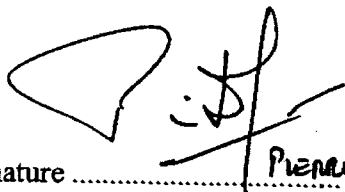
To the Registrar of Companies:

(a) WASTESERV MALTA LIMITED

hereby gives notice in accordance with Section 146 (1) of the Companies Act, 1995 that:-

Mr Alexander Tranter, holder of identity card number 046464 (M), residing at Madeley Too, Triq it-Terzi, Ibragg, Swieqi is resigning from the office of company director and judicial and legal representative.

Effective date of change will be this 29<sup>th</sup> day of June of the year 2005.

Signature .....  .....  
Secretary

Dated this 17<sup>th</sup> day of November of the year 2005

*This form must be completed in typed form.*

(a) State company name.

\* Delete as necessary.

C30560/6

FORM F(1)

- 5 OCT 2004

No. of Partnership/Company C 30560



**COMPANIES ACT, 1995**

**Notice of the removal of an auditor**

Pursuant to Section 157(2)/Section 66(3)

Name of Company

WasteServ Malta Limited

Delivered by

Pierre Lofaro LL.D.

To the *Registrar of Companies*:

WasteServ Malta Limited

hereby gives notice in accordance with Section 157 (2) of the Companies Act, 1995, that HLB Falzon & Falzon have been removed from auditors of the partnership/company with effect from 27<sup>th</sup> August 2004 and Grant Thornton have been appointed in their stead.

Signature

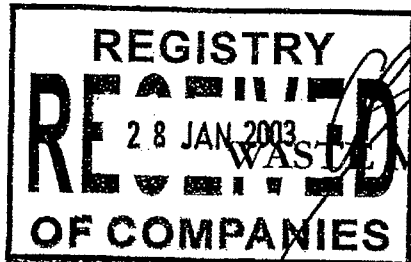
*Partner/Director/Secretary/Manager\**

Dated this 25<sup>th</sup> day of September, 2004

*This form must be completed in typed form.*

(a) State partnership/company name.

\* Delete as necessary



C 30560/4.  
28 JAN 2003

**WASTE MANAGEMENT SERVICES LTD**  
(Registration No. C30560)

Resolutions in writing signed by all the shareholders of the company on the 28<sup>th</sup> of January 2003 pursuant to Article 34 of the Articles of Association of the Company.

**Resolved:** (1) That the name of the Company be changed to WasteServ Malta Limited.

(2) That the registered office of the Company be changed to Phoenix Building, Old Railway Track, Santa Venera.

(3) That the first paragraph of Clause 8 of the Memorandum of Association of the Company be substituted by the following paragraph:-

"Deeds of whatever nature engaging the company and all other documents purporting to bind the company, including bank documents, cheques, promissory notes, drafts, bills of exchange and other negotiable instruments shall be signed, drawn, accepted, endorsed or otherwise executed, as the case may be, on behalf of the Company:

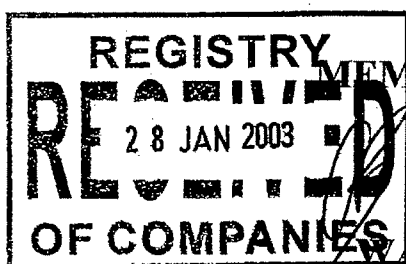
- (a) by any two (2) directors; or
- (b) by any director and the Chief Executive Officer of the Company; or
- (c) without prejudice to the power of such persons at all times to represent the Company as aforesaid, by a person or persons authorised by the Board from time to time, for the purpose".

(4) That the current Memorandum and Articles of the Company be substituted by the attached fresh Memorandum and Articles of Association which reflect the changes made by the above three resolutions.

Mr. Ivan Falzon  
For and on behalf of  
Malta Government  
Investments Limited

Mr. Ivan Falzon  
For and on behalf  
of Malta Investment  
Management Company  
Limited





MEMORANDUM OF ASSOCIATION  
OF  
WASTESERV MALTA LIMITED.

**NAME**

1. The name of the Company is WasteServ Malta Limited.

**PRIVATE COMPANY**

2. The Company is a private company in accordance with the Companies Act, 1995.

**REGISTERED OFFICE**

3. The registered office of the Company is situated at Phoenix Building, Old Railway Track, Santa Venera, Malta, or at such other place in Malta as the Board of Directors may from time to time determine.

**OBJECTS**

4. The objects for which the Company is established are:-
  - a) To organise, manage and operate integrated systems for waste management, including integrated systems for minimisation, collection, transport, sorting, reuse, utilisation, recycling, treatment and disposal of solid waste and hazardous waste (hereinafter referred to as "waste").
  - b) To organise, manage and operate integrated systems for export of waste to destinations outside the Maltese Islands.
  - c) To organise, manage and operate integrated systems for waste management in accordance with the Laws of Malta and the waste management policy and plan of the Government of Malta while observing internationally recognised waste management principles as these are at time of forming the company and as these will develop, including:



## MEMORANDUM OF ASSOCIATION

OF

WASTESERV MALTA LIMITED.

### NAME

1. The name of the Company is WasteServ Malta Limited.

### PRIVATE COMPANY

2. The Company is a private company in accordance with the Companies Act, 1995.

### REGISTERED OFFICE

3. The registered office of the Company is situated at Phoenix Building, Old Railway Track, Santa Venera, Malta, or at such other place in Malta as the Board of Directors may from time to time determine.

### OBJECTS

4. The objects for which the Company is established are:-
  - a) To organise, manage and operate integrated systems for waste management, including integrated systems for minimisation, collection, transport, sorting, reuse, utilisation, recycling, treatment and disposal of solid waste and hazardous waste (hereinafter referred to as "waste").
  - b) To organise, manage and operate integrated systems for export of waste to destinations outside the Maltese Islands.
  - c) To organise, manage and operate integrated systems for waste management in accordance with the Laws of Malta and the waste management policy and plan of the Government of Malta while observing internationally recognised waste management principles as these are at time of forming the company and as these will develop, including:

- Sustainable Development;
  - The proximity principle and self-sufficiency;
  - The precautionary principle;
  - The polluter pays principle;
  - That any environmental damage which might occur should, as a first option, be rectified at source;
  - The waste hierarchy;
  - The application of the Best Practicable Environmental Option (BPEO); and
  - Producer responsibility.
- d) To organise, manage and operate financing and cost recovery schemes that ensures financial sustainability of the company, including the highest possible degree of self-financing as shall be approved by the Minister responsible for Finance.
- e) To organise, manage and operate integrated systems for waste management for other waste types as may be decided by the Government of Malta or the Ministry responsible for the Infrastructure relating to the management of waste.
- f) To assist in and supervise the implementation of waste management policies as developed from time to time by the Government of Malta.
- g) To act as consultant to private and public sector entities/departments in relation to activities deemed to be relevant to the objects of the company.
- h) To establish contacts, liaise and collaborate with private and public sector entities/departments whether domestic or foreign, in pursuance of the objects of the company.
- i) To purchase, take on lease or otherwise acquire and to deal in any property, rights or privileges which the Company may consider necessary or convenient for the purposes of its business or which may enhance the value of any other property of the Company.
- j) To acquire and undertake the whole or any part of the business, goodwill, assets, liabilities of any person or company carrying on or proposing to carry on any business which the Company is authorised to carry on or which can be carried on in conjunction therewith or possessed of property suitable for the purpose of the Company.
- k) To borrow and raise money in such manner as the Company shall think fit, and in particular by the issue of debentures or debenture stock and to secure the repayment by the Company of any money borrowed, raised or owing by it and the performance by the Company of any obligation undertaken by it by hypothec, privilege, charge or other

security upon the whole or any part of the Company's property or assets (whether present or future) including its uncalled capital.

- l) To secure and guarantee the performance of any obligation, debt or liability of the Company or of any third party and to grant in support thereof any hypothec, privilege, charge or other security upon the whole or any part of the Company's assets including its immovable property.
- m) To procure from any person, company, bank or similar institution the granting of any guarantee, hypothec, privilege, charge or other security to secure and guarantee in favour of third parties any obligation undertaken by the Company.
- n) To draw, make, accept, endorse, discount, negotiate, execute and issue promissory notes, cheques, bills of exchange, bills of lading, warrants, debentures and other negotiable or transferable instruments.
- o) To apply for, promote and obtain any privilege, concession, licence or other authorisation or right of any government or other authority for enabling the Company to carry any of its objects into effect or for any purpose which may seem expedient, and to oppose any proceedings or applications which may seem calculated directly or indirectly to prejudice the interests of the Company.
- p) To enter into any arrangements with any government, authority, person or company that may seem conducive to the objects of the Company, or any of them, any to obtain from any government, authority, person or company any rights, privileges, contracts, licences and concessions which the Company may think it desirable to obtain and to carry out, exercise and comply therewith.
- q) To pay all expenses incurred in connection with the promotion, formation and registration of the Company, or the issue of its capital, including brokerage and commissions for obtaining applications for or taking, placing or underwriting or procuring the underwriting of shares, debentures or other securities of the Company.
- r) To sell or otherwise dispose of the business, undertaking, assets or property of the Company, or any part thereof, for such consideration as the Company may think fit, and in particular for shares, debentures or securities of any other company.
- s) To distribute among the members in specie any property of the Company or any proceeds of sale, disposal or realisation of any property of the Company, but so that no distribution amounting to a reduction of capital be made except with the sanction (if any) for the time being required by law.

- t) To carry on any other business which, in the opinion of the Board of Directors, can be advantageously or conveniently carried on in connection with any of the businesses of the Company and to do all such other things as may be deemed incidental or conducive to the attainment of the above objects or any of them.

Nothing in the foregoing shall be construed as empowering or enabling the Company to carry out any activity or service which requires a licence or is otherwise regulated under the Banking Act, 1994, the Financial Institutions Act 1994 and the Investment Services Act, 1994, without a licence or other appropriate authorisation from the respective competent authority.

The objects set forth in each sub-clause of this clause shall not be restrictively construed but the widest interpretation shall be given thereto, and they shall not except, where the context expressly or so requires, be in any way limited or restricted by reference to or inference from any other object or objects set forth in such sub-clause or from the terms of any other sub-clause or by the name of the Company. None of such sub-clauses or the object or objects therein specified or the powers thereby conferred shall be deemed subsidiary or ancillary to the objects or powers mentioned in any other sub-clause, but the Company shall have as full a power to exercise all or any of the objects conferred by and provided in each of the said sub-clauses as if each sub-clause contained the objects of a separate company.

#### SHARE CAPITAL

- 5.(1) The authorised share capital of the Company is five million Maltese Liri (Lm5,000,000) divided into five million (Lm5,000,000) Ordinary Shares of a nominal value of one Maltese Lira (Lm1) each.
- (2) The issued share capital of the Company is one hundred thousand Maltese Liri (Lm100,000) divided into one hundred thousand (100,000) Ordinary Shares of a nominal value of one Maltese Lira (Lm1) each, twenty per cent paid-up, subscribed for and allotted as follows :

Malta Government Investments Limited Trade Centre San Gwann Industrial Estate, San Gwann. Company Registration Number C 10175	Ninety-nine thousand nine hundred and ninety-nine (99,999) Ordinary shares of a nominal value of one Maltese Lira (Lm1) each, twenty per cent paid up
Malta Investment Management Company Limited Trade Centre, San Gwann Industrial Estate, San Gwann. Company Registration Number C 9588	One (1) Ordinary share of a nominal value of one Maltese Lira (Lm1), twenty per cent paid up,

## **LIABILITY OF MEMBERS**

6. The liability of members is limited in the case of each member to the amount, if any, unpaid on the shares which he holds in the Company.

## **MANAGEMENT AND ADMINISTRATION**

7. The management and administration of the Company is vested in a Board of Directors composed of not less than two (2) and not more than five (5) directors, including a Chairman.

The directors shall be nominated in the manner set out in the Articles of Association.

The first directors of the Company are:

1. Mr. Nick de Giorgio  
Villa Madliena  
Madliena Hill  
Madliena (Naxxar)  
I.D. 392448(M)
2. Ing. Alexander Tranter  
Madeley Too  
Triq it-Terzi  
Ibrag  
Swieqi STJ 03  
I.D. 46464(M)
3. Mr. Euchar Mizzi  
45, Triq Enrico Mizzi  
Victoria VCT 107  
Gozo  
I.D. 48850(G)
4. Mrs. Magda Magri Naudi  
Torsance  
5, Karlu Darmanin Street  
Lija BZN 14  
I.D. 583348 (M)
5. Mr. Marco Abela  
5, Victoria Mansions  
Victoria Junction  
Sliema SLM 12  
I.D. 150472(M)

The Chairman of the Company shall be Mr. Nick de Giorgio of Villa Madliena, Madliena Hill, Madliena (Naxxar) of I.D. 392448(M).

#### LEGAL AND JUDICIAL REPRESENTATION

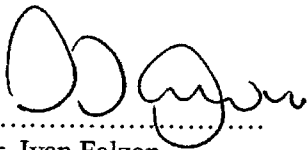
8. Deeds of whatever nature engaging the company and all other documents purporting to bind the company, including bank documents, cheques, promissory notes, drafts, bills of exchange and other negotiable instruments shall be signed, drawn, accepted, endorsed or otherwise executed, as the case may be, on behalf of the Company:

- (a) by any two (2) directors; or
- (b) by any director and the Chief Executive Officer of the Company;  
or
- (c) without prejudice to the power of such persons at all times to represent the Company as aforesaid, by a person or persons authorised by the Board from time to time, for the purpose.

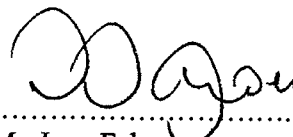
The Company shall be represented in judicial proceedings by any two (2) directors or, without prejudice to the power of any such directors at all times to represent the Company as aforesaid, by any other person authorised by the Board for the purpose; provided that no proceedings may be instituted by the Company without the Board's approval.

#### COMPANY SECRETARY

9. The Secretary of the Company is Dr. Pierre Lofaro of Ghajn ix-Xemx, Triq Hagar Qim, Qrendi holder of I.D. Card Number 791055(M).



.....  
Mr. Ivan Falzon  
For and on behalf of Malta  
Government Investments Limited



.....  
Mr. Ivan Falzon  
For and on behalf of Malta  
Investment Management  
Company limited

**ARTICLES OF ASSOCIATION**  
**OF**  
**WASTESERV MALTA LIMITED**

The Regulations contained in Parts 1 and 11 of the First Schedule (such Schedule being hereinafter called "The First Schedule") of the Companies Act, 1995 (hereinafter called "the Act") shall apply to the Company, save in so far as they are excluded or varied hereby.

**INTERPRETATION**

1. In these regulations the word "person" is deemed to include any corporate body, firm, partnership, or other body of persons, whether corporate or unincorporate, unless the context otherwise requires or unless such interpretation is contrary to law.

**STATUS**

2. The Company is established as a private company within the meaning of the Companies Act 1995.

3. Accordingly:

- (a) The right to transfer its shares is restricted.
- (b) The number of shareholders of the Company is limited to fifty (50) provided that where two or more persons hold one or more shares in the Company jointly, they shall for the purpose of this regulation be treated as a single member.
- (c) The Company shall not have the power to issue share warrants to bearer.
- (d) Any invitation to the public to subscribe for any shares or debentures in the Company is prohibited.



## **FRESH ISSUE OF SHARES**

4. Any fresh issue of shares within the Company's capital shall be made by the Company in terms of the Companies Act, 1995 and the Memorandum and Articles of the Company at such time and in such manner as it considers appropriate.

## **TRANSFER OF SHARES**

5. (1) A member (hereinafter referred to as the transferring member) wishing to transfer his shares or any of them shall, prior to the transfer, inform the Board of Directors by notice in writing (hereinafter referred to as the transfer notice) specifying the number of shares to be transferred. Such transfer notice shall be deemed for all intents and purposes as constituting the Board agent for the sale at a fair value of the shares to be transferred. The Board of Directors shall within forty-five (45) days of receipt of the transfer notice, procure the determination of the fair value of the shares and when such fair value has been determined, the Board of Directors shall within fourteen (14) days thereafter, inform the transferring member by notice in writing and within the same time cause a notice to be sent to every other member of the Company stating the number and the fair value of the shares for sale and inviting them to state in writing within thirty (30) days what number of shares, if any, they are willing to purchase.

(2) On the expiration of the said thirty (30) days, the Board of Directors shall within a period of fourteen (14) days allocate the said shares to or amongst the member or members who shall have expressed his or her willingness to purchase as aforesaid and, if more than one, so far as may be pro-rata between them PROVIDED that no member shall be obliged to take more than the said maximum number of shares so notified by him as aforesaid.

(3) If the Board of Directors shall for any reason whatsoever be unable, within four (4) months of the receipt of the transfer notice referred to in sub-article 5(1) hereof, find a purchaser or purchasers for all or any of the shares amongst the existing members of the Company the Board of Directors shall, within seven (7) days from the expiration of the said period of four (4) months notify the transferring member accordingly and such transferring member shall be free to transfer his shares to any third parties and the Board of Directors shall be bound to register such transfer provided that such transfer takes place within a period of three (3) months from the date of notification contemplated in this clause, and provided further that such shares are not transferred at less than their fair value.

(4) 'Fair Value' for the purpose of Article 5 hereof means the value of the share or shares as assessed by the Auditors of the Company or a certified public accountant on the basis of the last audited accounts and of any other facts produced to, or acquired by them which, in their opinion, are relevant for the purpose of their valuation.

(5) The Board of Directors shall not have the right to refuse registration of the transferee as a member of the Company in the case of transfers made in accordance with the provision of this Article.

(6) The provisions of Regulations 13 to 15 (both inclusive) and of Regulations 17 to 21 (both inclusive) of Part 1 of the First Schedule are expressly excluded.

(7) Shares in the Company may be pledged in accordance with Section 122 of the ACT.

### **GENERAL MEETINGS**

6. Subject to the provisions of the Act, the Company shall in each year hold an annual general meeting at such time and place as the directors shall appoint.

7. All general meetings other than annual general meetings shall be extraordinary general meetings.

8.(1) The directors may, whenever they think fit, convene an extraordinary general meeting, and extraordinary general meetings shall also be convened by the directors on the requisition of any member.

(2) The requisition must state the objects of the meeting and must be signed by the requisitionist and be deposited at the registered office of the Company.

(3) If the directors fail, for any reason, to convene the meeting within twenty-one days from the date of the deposit of the requisition, the requisitionist may himself convene the meeting in the same manner, as nearly as possible, as that in which meetings are to be convened by the directors.

### **NOTICE OF GENERAL MEETINGS**

9. A general meeting of the Company shall be called by fourteen (14) days' notice in writing at the least. The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it be given, and shall specify the place, the day and the hour of the meeting, and in case of special business, the general nature of that business, and shall be given in manner hereinafter mentioned, to such persons as are, under the regulations of the Company, entitled to receive such notice from the Company.

Provided that a meeting of the Company shall, notwithstanding that it has not been convened as aforesaid, be deemed to have been duly called if it is so agreed by all the members entitled to attend and vote thereat.

10. The omission (even if accidental) to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall invalidate the proceedings of that meeting.

### **PROCEEDINGS AT GENERAL MEETINGS**

11. Unless otherwise expressly provided by law, all business shall be deemed extraordinary that is transacted at an extraordinary general meeting, and also all that is transacted at any annual general meeting, with the exception of declaring a dividend,

the consideration of the accounts, balance sheets, and the reports of the directors and auditors and the election of directors in the place of those retiring.

12. No business shall be transacted at any general meeting other than that stated in the notice convening it and unless a quorum is present at the time when the meeting proceeds to business; any member or number of members present in person or by proxy, and having the right to attend and vote at such meeting and holding alone, or as the case may be, between them at least fifty one per cent (51%) of the nominal value of the shares conferring such right shall constitute a quorum.

13. The Chairman, if any, of the Board of Directors shall preside as Chairman at every general meeting of the Company. If there is no such Chairman, or if he shall not be present within fifteen (15) minutes after the time appointed for the holding of the meeting, the members present shall elect one of the directors to be chairman of the meeting.

14. If at any general meeting no director is willing to act as chairman, or if no director is present within fifteen minutes after the time appointed for holding the meeting, the members present shall choose one of their number to be chairman of the meeting.

15. The chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

16. In case of any equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.

#### **VOTES OF MEMBERS**

17. Subject to any rights or restrictions for the time being attached to any class or classes of shares, both on a show of hands and on a poll;

- a) every member shall have one vote for each share of which he is the holder.
- b) votes may be given either personally or by proxy.

18. An instrument appointing a proxy shall be in the following form, or in any other appropriate form:-

**“ WASTE MANAGEMENT SERVICES LTD.”**

I/We.....of.....being a member/members of the above mentioned Company, hereby appoint.....of.....or, failing him.....of.....to vote for me/us on my/our behalf at the (annual or extraordinary, as the case may be) general meeting of the Company, to be held on the.....day of..... 20...., and at any adjournment thereof.

Signed this.....day of.....20..

This form is to be used in favour of/against the resolution. Unless otherwise instructed, the proxy will vote as he thinks fit.

19. The provisions of Regulations 36, 45 and 48 of Part 1 of the First Schedule are hereby excluded.

20. An ordinary resolution of the Company at general meeting shall be deemed to have been validly carried if consented to by a number of members having the right to attend and vote at such meeting and holding in aggregate not less than fifty-one per cent (51%) in nominal value of the shares conferring such right.

21. An extraordinary resolution shall be deemed to have been validly carried if:

- a) it has been taken at a general meeting at which notice specifying the intention to propose such resolution as an extraordinary resolution has been duly given; and
- b) it has been passed by a member or by a number of members having the right to attend and vote at any such meeting holding alone or, as the case may be, in aggregate not less than fifty one per cent (51%) in nominal value of the shares conferring that right.

**CORPORATIONS ACTING BY REPRESENTATIVES AT MEETINGS**

22. Any corporation which is a member of the Company may, by resolution of its directors or other governing body, authorize such person as it thinks fit to act as its representative at any meeting of the Company or of any class of members of the Company, and the person so authorised shall be entitled to exercise the same powers on behalf of the corporation which he represents as that corporation could itself exercise.

**POWERS OF GENERAL MEETING**

23. Decisions upon the following matters shall be taken by the Company in general meeting:

- a) the approval of annual accounts, directors' report and auditor's report.

- b) the declaration of dividends which shall in no case, however, exceed the amount, if any, recommended by the board of directors.
  - c) the increase and reduction of authorised capital.
  - d) the dissolution of the Company.
  - e) amendments to the Company's Memorandum and Articles of Association following the specific clearance of the Minister responsible for Finance.
  - f) the appointment and removal of auditors.
  - g) the issue, allotment, granting options over and/or disposal of the shares in the Company.
  - h) the fixing of the remuneration payable to the Chairman, to the directors and to the auditors of the Company.
- 
- i) the transfer or otherwise the disposal of, or the granting on lease or on emphyteusis, or the granting of any other rights over, any immovable property of the Company.
  - j) the holding of shares in other companies, appointment of directors thereto and the persons who are to represent the company in the General Meetings of the companies in which the company has a shareholding.
  - k) the making of calls in respect of any amount unpaid on any shares;
  - l) in general the taking of decisions on all matters which in terms of the Act or of these Articles are reserved to the general meeting of the Company or which the board of directors may from time to time place before it.

24. The following decisions shall be deemed to have been validly carried at a general meeting if approved by an extraordinary resolution -

- (a) the decisions specified in paragraphs (c), (d), (e), (f), (g), (h), (i) (j) and (k) of clause 23 of these Articles.
- (b) any other decision for which an extraordinary resolution is expressly required by the Act or by the other provisions of these Articles.

## **APPOINTMENT OF DIRECTORS**

25.(1) All the directors shall be appointed by the Minister responsible for Waste Management who may withdraw and / or substitute all or any of the directors appointed by him.

(2) The appointment or withdrawal of a director as provided in sub-article (1) of this Article shall take effect immediately on the receipt of a notice in writing to this effect by the Board of Directors signed by the said Minister.

(3) Regulations 57 to 61, both inclusive, of Part 1 of the First Schedule are expressly excluded and shall not, therefore, apply to the Company.

## **CHAIRMAN OF THE BOARD**

26.(1) The Chairman of the Board of Directors shall, in all cases, be nominated from amongst the Directors by the Minister responsible for Waste Management.

(2) The first and subsequent Chairman shall hold office until the Board meeting next following the expiration of one (1) year from the date of his appointment but shall be eligible for re-appointment for any number of terms.

(3) If at any meeting the Chairman is not present within fifteen (15) minutes after the time appointed for the holding of the meeting, the directors may choose any other director to be the chairman of that particular meeting.

## **BORROWING POWERS**

27. Subject to what is stated elsewhere in these Articles, the directors may exercise all the powers of the Company to borrow money, and to hypothecate or charge its undertaking, property and uncalled capital, or any part thereof, including as security for its obligations and to issue debentures, debenture stock, and other securities whether outright or as security for any debt, liability or obligations of the Company or of any third party.

## **POWERS AND DUTIES OF DIRECTORS**

28. (1) The Board of Directors shall be accountable in a general manner to the Minister responsible for Waste Management who shall also be entitled to request from the Board such information and documentation relative to their Company's activities as he may deem fit.

(2) In conducting the Company's business, the Board of Directors shall follow and be subject to the direction set out for it by the Minister responsible for Waste Management who shall also have the power to issue directives in writing on all aspects and matters touching its business and furthermore the said Minister shall also be entitled to confer on the Board of Directors such specific tasks and duties as he may deem fit.

(3) The Board of Directors shall scrupulously follow the procedure for procurement as established by the Public Service (Procurement) Regulations, 1996 or any amendments thereto.

(4) The consent in writing of the Minister responsible for Finance shall be necessary when the Company, in any manner whatsoever, borrows or raises money, lends money, and / or guarantees or secures any debt, liability or obligation of the Company or any other person.

(5) Subject to what has been stated in the preceding paragraphs of this article and to what is stated elsewhere in these Articles, the business of the Company shall be managed by the directors, who may exercise all such powers of the Company as are not by the Act or by these Articles required to be exercised by the Company in general meeting subject nevertheless to any provisions as may be prescribed by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if that regulation had not been made.

(6) Without prejudice to the general powers conferred in the preceding paragraph, and the other powers conferred by these Articles, but subject to what is stated elsewhere in these Articles, it is hereby expressly declared that the directors shall have the following powers, that is to say, power:

- a) to appoint and at their discretion remove such number of members of a Management Committee.
- b) to delegate all or any of their powers to a Management Committee.
- c) to fix the remuneration payable to all or any of the members of the Management Committee.
- d) to appoint and at their discretion remove or suspend such managers, officers, agents or servants as they may from time to time think fit and to determine their powers and duties and to fix their salaries and emoluments.
- e) to institute, conduct, defend, compromise, or abandon any legal proceedings by or against the Company or its officers, or otherwise concerning the affairs of the Company and also to compromise and allow time for payment or satisfaction of any debts due, and of any claims or demands by or against the Company and to designate the company's representative for such purpose or purposes.
- f) to bind the Company vis-à-vis third parties and third parties vis-à-vis the Company and to determine who shall be entitled to sign on behalf of the Company cheques, bills, notes, receipts, acceptances, endorsements, releases, contracts, and other documents.
- g) to convene at any time general meetings of the Company.

- h) to recommend payment of dividends.
- i) to prepare a budget of the Company's income and expenditure for every financial year and to prepare any supplementary budget and any amendment to its budget as may be necessary from time to time;
- j) in general to manage the company and to perform any act on behalf of the company except for such acts as are expressly reserved to the General Meeting by the Act or by these Articles.

## **PROCEEDINGS OF DIRECTORS**

29.(1) The directors may meet together for the dispatch of business, adjourn and otherwise regulate their meetings, as they think fit.

(2) Meetings of the directors shall take place in Malta or, with the consent of all the directors, abroad.

(3) Questions arising at any meeting shall be decided by a simple majority of votes. In case of an equality of votes, the Chairman shall have a second or casting vote.

(4) A director may, and the secretary on a written requisition of a director shall, at any time summon a meeting of the directors. Notice of meetings of directors shall be given at least ten (10) days before the date of the meeting to all the directors.

Such notices shall be given in the manner stated in these Articles. It shall not be necessary to give notice of an adjourned meeting.

Provided that a meeting of the Board shall notwithstanding that it has not been convened as aforesaid, be deemed to have been duly called if so agreed by all the directors entitled to attend and vote thereat.

30. The quorum necessary for the transaction of the business of the directors shall be one more than half the total complement for the time being of the Board.

Provided that if no quorum is present within half an hour from the time appointed for the meeting, the meeting shall be adjourned to the same day in the next week at the same time and place or to such other date and such other time and place as the directors present shall determine and if, at the adjourned meeting, a quorum is not present, the director or directors present shall constitute a quorum.

31. (a) A Director who intends to carry on business in competition with the Company, on his own account, or account of others as a partner with unlimited liability, or as a director of a limited liability company, must first have the approval of the company by an extraordinary resolution.

(b) The Company may withdraw such approval by an ordinary resolution, if it proves that the said director has divulged confidential information about this



company to any other third party, with whom he is carrying business. In any other case, the company may only withdraw such approval by an extraordinary resolution.

(c) A director shall not vote at a meeting of the directors in respect of any contract or arrangement in which he is interested and if he does his vote shall not be counted.

#### **ALTERNATE DIRECTORS**

32. The holder of the majority of issued shares of the Company may by notice in writing served upon the Company appoint any person as an alternate director to attend and vote in the place of a Director who is unable to attend a meeting of the directors. Every such appointment shall be effective and the following provisions shall apply in connection therewith:

(1) Every alternate director, while he holds office as such, shall be entitled to attend and to exercise all the rights and privileges of the director he has been appointed as an alternate to at all such meetings at which such director is not personally present.

(2) Every such alternate director shall ipso facto vacate office if and when the director he has been appointed as an alternate to ceases for any reason to be a director or he is removed from office by the holder of the majority of the issued shares of the Company by notice in writing under his hand served upon the Company.

(3) No alternate director shall be entitled as such to receive any remuneration from the Company.

(4) A director may act as alternate director for another director and shall be entitled to vote for such other director as well as on his own account, and for the purposes of determining the quorum he shall be counted in both his said capacities.

#### **RESOLUTIONS IN WRITING**

33. A resolution in writing signed by all the directors for the time being entitled to receive notice of a meeting of the directors, shall be as valid and effective as if it had been passed at a meeting of the directors duly convened and held.

34. A resolution in writing signed by all the members for the time being entitled to receive notice of and to attend and vote at the general meetings of the Company, shall be as valid and effective as if the same had been passed at a general meeting of the Company duly convened and held.

#### **FINANCIAL ACCOUNTABILITY AND OTHER RELATED MATTERS.**

35. (1) By the 31<sup>st</sup> May of every year, the Company shall submit for approval to the Minister responsible for Finance a Business Plan for the subsequent three financial years together with an estimate of expenditure and revenue of both a

capital and a recurrent nature for the next financial year as endorsed by the Minister responsible for Waste Management. The Company shall at all times keep within the capital and expenditure limits and revenue collection and direction as established for it by the Minister responsible for Waste Management with the concurrence of the Minister responsible for Finance.

(2) Without prejudice to any other obligations imposed on the Company by the Act, the Company shall ensure that proper management accounts are kept, together with proper records of its operations and transactions. The Company shall also ensure that a proper statement of accounts be drawn up every three months and that a copy is sent to the Minister responsible for Finance without delay.

(3) Without prejudice to any other obligation imposed on the Company by the Act, the Company's accounts shall be certified by one or more auditors, appointed from time to time by the General Meeting whilst the Company's financial administration shall be submitted to the Auditor General to be certified by him. The accounts, when so certified, shall be sent to the Minister responsible for Waste Management, to the Minister responsible for Finance and to the Auditor General.

(4) Not later than three months from the end of every financial year, the Company shall send a copy of the certified statement of accounts, a copy of the auditor's or auditors' report regarding this statement, together with the report covering the activities and results reached during that year to the Minister responsible for Waste Management. Within thirty days from receiving them, the Minister responsible for Waste Management shall place a copy of them on the Table of the House of Representatives. The certified accounts and the annual report shall also be sent to the Minister responsible for Finance and the Auditor General.

(5) The Company shall, upon a request made to this effect by the Minister responsible for Waste Management or by the Minister responsible for Finance, submit to them such reports and such certified information as they may require.

## **SECRETARY**

36. Subject to the provisions of the Companies Act, 1995, the directors may appoint a secretary for such term at such remuneration and upon such conditions as they may think fit, and any secretary so appointed may be removed by them.

## **NOTICE**

37. Every member and every director and alternate director of the Company as well as the Company's auditor shall furnish his address and all other details where he may be contacted and any change thereto to the Company Secretary, who shall enter the said information in his records.

38. A notice may be given by the Company to any person mentioned in the previous paragraph either personally or by sending it by registered mail to his registered address. In the case of members resident outside Malta notice shall be given simultaneously by telex, telegram, telefax or electronic-mail to such number/address as he shall have furnished to the Company.

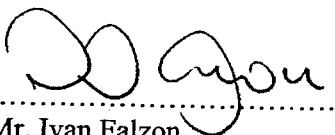
39. A notice shall be deemed to have been validly given to a person if delivered personally or sent by registered mail to the address last entered by the Company Secretary as the address of that person.

40. When a notice has been sent by registered mail it shall be deemed to have been notified to the addressee on proof that it arrived at the latter's address last entered by the Company Secretary as the address of that person.

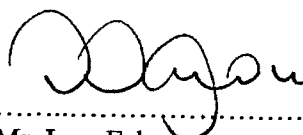
41. Notice of every general meeting shall be given in the manner hereinbefore stated to:-

- a) every registered member;
- b) to each director of the Company; and
- c) the auditor for the time being of the Company.

No other person shall be entitled to receive notices of general meetings.



Mr. Ivan Falzon  
For and on behalf of  
Malta Government Investments Limited



Mr. Ivan Falzon  
For and on behalf of  
Malta Investment  
Management Company  
Limited

## **ANNEX 3**

## **RENEWAL OF IP 0004/07 (IPPC PERMIT FOR THE MARSA THERMAL TREATMENT FACILITY)**

### **Non-technical Description**

The current application is seeking the renewal and variation of the integrated pollution prevention and control permit (IP 0004/07) related to the operation of an incinerator for abattoir and hazardous waste located at Marsa.

To date the operation of the facility has been supported by a neighboring facility also operated by WasteServ Malta Limited, namely the Temporary Marsa Storage and Sorting Facility. This facility is covered by PA 05115/07 and an environmental permit WM 00012/07. Through this application, WasteServ is seeking to extend the boundary of the existing incineration facility to include the area currently occupied by the Temporary Marsa Sorting and Storage Facility. This should lead to a consolidation of the area and the creation of adequate space for all the operations to support the receipt, storage and treatment of all waste streams received at the facility.

The few years of operation of the facility has led to the identification of a number of operational issues which need to be addressed in order to improve both the operations on site as well as the quality of service provided to clients. WasteServ is proposing to address these issues through the installation of additional ancillary facilities including the installation of a rendering plant for the treatment of animal by-products.

The current application is also seeking to vary the permit as follows:

- Variation to the list of permitted wastes through the addition of a number of waste streams and inclusion of the list of permitted wastes as part of the permit.
- Variation to the management condition to reflect recent certification to ISO9001 and ISO14001 standard.
- Waste acceptance hours to be changed to reflect current practices.

- Variation to waste acceptance procedures to enable more flexibility in the type of analysis and information requested from waste producers.

## **ANNEX 4**

## PROPOSED VARIATIONS

### RENEWAL OF IP 0004/07 (IPPC PERMIT FOR THE MARSA THERMAL TREATMENT FACILITY)

The current application is for a renewal of the integrated pollution prevention and control permit (IP 0004/07) related to the operation of an incinerator for abattoir and hazardous waste located at Marsa. The following variations are being proposed.

Proposed Variation	Description of the change	Conditions to be varied
Change in site boundary to include the Temporary Marsa Sorting and Storage Facility.	To date the operation of the facility has been supported by a neighboring facility also operated by WasteServ Malta Limited, namely the Temporary Marsa Storage and Sorting Facility. This facility is covered by PA 05115/07 and an environmental permit WM 00012/07. Through the implementation of the Development Brief submitted to the Planning Directorate and also as part of this application, WasteServ would like to extend the boundary of the existing incineration facility to include the area currently occupied by the Temporary Marsa Sorting and Storage Facility. This should lead to a consolidation of the area and the creation of adequate space for all the operations to support the receipt, storage and treatment of all waste streams received at the facility.	Condition 1.1.2; Schedule 3
Installation of	The few years of operation of the facility has lead	Various



additional ancillary facilities including the installation of a rendering plant for the treatment of animal by-products as outlined in Annex 3	to the identification of a number of operational issues which need to be addressed in order to improve both the operations on site as well as the quality of service provided to clients. Addressing these issues will also lead to a reduction in inconvenience that may be experienced during periods of maintenance.	conditions
Variation to list of permitted wastes	The list of permitted wastes in the current permit is to be varied to include all the waste streams identified in the list of wastes included in this document.	1.2.1
Variation to management condition to reflect new timelines	The facility has been awarded ISO9001 and ISO14000 certification.	1.4.2

List of permitted waste to be included as part of the permit	This is required for ease of reference and to ensure reference to correct list of waste.	2.1
Waste delivery	To be changed to reflect current practices. Normal working hours will be from 06:00 –12:00 and 12:30-18:00 on weekdays and from 6:00 – 12:00 on Saturdays and Sundays; fallen animals will be accepted from 6:00 – 12:00 and 12:30-18:00 and 18:30 – 22:00 from Monday till Sunday. Hazardous waste will be accepted from Monday till Friday from 6:00 – 12:00 and from 12:30 - 18:00.	2.2.4
Variation to waste acceptance procedures	<p>The current permit does not differentiate between different waste streams when it comes to waste acceptance. WasteServ is proposing a different approach towards waste acceptance whereby waste streams are considered on a case by case basis. In the case of clinical waste no major changes are being proposed, other than including the monitoring of radioactivity for the daily delivery of clinical waste.</p> <p>In the case of abattoir waste and animal-by products WasteServ is proposing that these are accepted without any form of analyses. The consignment permit from the Veterinary Department is being included as part of the documentation required for waste acceptance.</p>	2.5

	<p>During the operation of the MTTF WasteServ has had requests for non-hazardous waste. These waste streams are usually safe to incinerate and therefore their majority may be accepted without analyses however WasteServ still wants to have the possibility of asking for analyses should certain non-hazardous waste pose uncertainty. The amount and type of analyses will be at the discretion of WasteServ since not all the parameters would be applicable.</p> <p>When it comes to hazardous waste, WasteServ would again want to distinguish between the different types. The majority of hazardous waste incinerated up to now includes pharmaceutical waste. Having a list of the different types of medicines to be disposed would be sufficient to deem whether the waste can be incinerated or not. This is because the active ingredient within the product is only a small percentage of the whole tablet, plus packaging. The list provided by the waste producers is scrutinized by our scientist on site to determine whether any of the waste is cytotoxic waste. Producers are also made to sign a declaration confirming that the waste delivered to our facility does not contain any cytotoxic waste.</p> <p>We have come across cases when the waste is a raw product which was never used in any process. Waste composition information in this case may be found directly within the MSDS sheet. In any</p>	
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	<p>case, WasteServ still wants to have the possibility of asking for analyses should the waste pose uncertainty. The amount and type of analyses will be at the discretion of WasteServ since not all the parameters would be applicable.</p> <p>In the case of other hazardous waste, it is being proposed that as per the current permit analyses are always requested from the waste producer however one does not necessarily have to carry out the analyses for all the parameters which are currently obligatory within the permit.</p> <p>Proposed conditions as follows:</p> <ol style="list-style-type: none"> <li>1. The operator shall determine the mass of each category of waste, if possible according to the European Waste Catalogue, prior to accepting the waste at the incineration plant.</li> <li>2. Prior to accepting waste at the facility the operator shall check documents as required by Legal Notice 337 of 2001 and, where applicable, those required by Council Regulation (EC) 1013/2006 of the European Parliament and of The Council of 14 June 2006 on shipments of waste and by dangerous goods transport regulations.</li> <li>3. The operator shall set up standard specifications of desired or, respectively,</li> </ol>	
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	<p>tolerable properties of waste categories that will be admitted for incineration at the plant. This information shall be communicated to interested waste suppliers prior to first delivery of waste.</p> <p>4. Prior to accepting waste at the facility the following reception procedure shall be carried out by the operator:</p> <ul style="list-style-type: none"> <li>- <b>Clinical waste</b> which is received on a daily basis shall be checked for radioactivity through the use of a hand held Geiger Counter. Clinical Waste shall be excluded from any physical or chemical analyses prior to acceptance.</li> <li>- <b>Abattoir and Animal By-Products waste</b> shall be accepted on a daily basis. This waste shall be excluded from any physical or chemical analyses prior to acceptance at the discretion of the operator. Abattoir and Animal By-Products waste shall only be accepted if accompanied by the Consignment Permit as issued by the Animal By-Products Section within the Fish and Farming Regulation and Control, Ministry for Resources and Rural Affairs.</li> <li>- <b>Non-hazardous waste</b> shall be</li> </ul>	
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	<p>accepted at the facility on a request basis. Prior to acceptance, the operator shall check about the generating process and the type of non-hazardous waste. At the discretion of the operator, non-hazardous waste shall be accepted at the facility without any physical and chemical analyses prior to acceptance.</p> <p>The operator may deem that non-hazardous waste would need to be analysed. In that case, the following analyses may be requested from the waste producer:</p> <ul style="list-style-type: none"> <li>• Flashpoint [°C]</li> <li>• Lower heating value, LHV (Net calorific value) [kJ/kg]</li> <li>• Water content [% by weight]</li> <li>• Mass loss during combustion [% by weight, DS]</li> <li>• Ash content [% by weight, DS]</li> <li>• Content of Halogens [mg/kg, DS]</li> <li>• Content of Sulphur, S [mg/kg, DS]</li> <li>• Content of Lead, Pb</li> </ul>	
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	<p>[mg/kg, DS]</p> <ul style="list-style-type: none"> <li>• Content of Cadmium, Cd [mg/kg, DS]</li> <li>• Content of Chromium, Cr [mg/kg, DS]</li> <li>• Content of Copper, Cu [mg/kg, DS]</li> <li>• Content of Mercury, Hg [mg/kg, DS]</li> <li>• Content of Zinc, Zn [mg/kg, DS]</li> </ul> <p>- Acceptance of hazardous waste shall depend on the type of waste, as follows:</p> <ul style="list-style-type: none"> <li>○ <b>Pharmaceutical (medicine) waste:</b> Waste producer is asked for a complete inventory list of products to be incinerated. The scientist on site will check whether the list contains any cytotoxic waste or other waste which cannot be incinerated. NO CYTOTOXIC WASTE SHALL BE ACCEPTED AT THE FACILITY – to this end, the waste producer will be asked to sign a declaration confirming that the waste does not contain any cytotoxic waste.</li> </ul> <p>On delivery, the producer has to</p>	
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	<p>provide a list of the waste being delivered. The scientist on site will check with the previously submitted list of waste. Should the lists not coincide, the waste will be rejected and a rejection note is issued accordingly.</p> <ul style="list-style-type: none"> <li>○ <b>Contaminated Packaging:</b> Waste producer is asked for information on the packaging type and type of contamination. Since the amount of hazardous waste is usually very little, this waste is excluded from physical and chemical analyses. The waste producer must however produce information on the waste generation process.</li> <li>○ <b>CA site waste:</b> Hazardous Wastes from CA sites are very heterogeneous and the quantities are less than 25 litres of each waste stream. Such waste is excluded from any physical or chemical analyses. Incineration of this waste is controlled in such a way that the amount of CA site waste incinerated at any one time is kept to a minimum.</li> </ul>	
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	<p>○ <b>Products:</b> In the case where the waste is a product the waste producer will be asked to submit the Material Safety Data Sheet (MSDS) for the product. Should the information on the MSDS sheet be sufficient the waste is accepted on the basis that the waste is the product as declared in the MSDS. To this effect the waste producer will be asked to sign a declaration confirming that the waste being delivered to the facility is the product as represented by the MSDS.</p> <p>At the operator's discretion, should the information on the MSDS not be sufficient, the operator shall ask for further analysis of the waste. Such analyses may include but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Flashpoint [°C]</li> <li>▪ Lower heating value, LHV (Net calorific value) [kJ/kg]</li> <li>▪ Water content [% by weight]</li> <li>▪ Mass loss during</li> </ul>	
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	<p>combustion [% by weight, DS]</p> <ul style="list-style-type: none"> <li>▪ Ash content [% by weight, DS]</li> <li>▪ Content of Halogens [mg/kg, DS]</li> <li>▪ Content of Sulphur, S [mg/kg, DS]</li> <li>▪ Content of Lead, Pb [mg/kg, DS]</li> <li>▪ Content of Cadmium, Cd [mg/kg, DS]</li> <li>▪ Content of Chromium, Cr [mg/kg, DS]</li> <li>▪ Content of Copper, Cu [mg/kg, DS]</li> <li>▪ Content of Mercury, Hg [mg/kg, DS]</li> <li>▪ Content of Zinc, Zn [mg/kg, DS]</li> </ul> <p>○ <b>Other hazardous waste:</b> In the case of heterogenous waste, the operator will have the discretion of requesting chemical and physical analyses of the waste from the waste producer. Such chemical and physical analyses may include but are not limited to the following:</p>	
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	<p><b><u>Physical properties:</u></b></p> <ul style="list-style-type: none"> <li>▪ Softening temperature (range) [°C]</li> <li>▪ Melting temperature (range) [°C]</li> <li>▪ Boiling temperature (range) [°C]</li> <li>▪ Density [kg/m<sup>3</sup>]</li> <li>▪ Bulk density [kg/m<sup>3</sup>]</li> <li>▪ Particle size (distribution) [mm]</li> <li>▪ Vapour pressure at .....°C [hPa]</li> <li>▪ Dynamic viscosity at .....°C [mPa.s]</li> <li>▪ Kinematic viscosity at .....°C [m<sup>2</sup>/s]</li> <li>▪ pH-value [-]</li> <li>▪ Flashpoint [°C]</li> <li>▪ Ignition temperature [°C]</li> <li>▪ Lower explosion limit (of vapours) at .....°C [% by volume]</li> <li>▪ Upper explosion limit (of vapours) at .....°C [% by volume]</li> <li>▪ Lower heating value, LHV (Net calorific value) [kJ/kg]</li> <li>▪ Higher heating value, HHV (Gross calorific value)</li> </ul>	
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	<p>[kJ/kg]</p> <p><b><u>Chemical Properties:</u></b></p> <ul style="list-style-type: none"> <li>▪ Water content [% by weight]</li> <li>▪ Mass loss during combustion [% by weight, DS]</li> <li>▪ Ash content [% by weight, DS]</li> <li>▪ Content of Polychlorinated Biphenyls (PCB) [mg/kg, DS]</li> <li>▪ Content of polychlorinated phenols (PCP) [mg/kg, DS]</li> <li>▪ Content of Halogens [mg/kg, DS]</li> <li>▪ Content of Sulphur, S [mg/kg, DS]</li> <li>▪ Content of Antimony, Sb [mg/kg, DS]</li> <li>▪ Content of Arsenic, As [mg/kg, DS]</li> <li>▪ Content of Nitrogen, N [mg/kg, DS]</li> <li>▪ Content of Phosphorus, P [mg/kg, DS]</li> <li>▪ Content of Lead, Pb [mg/kg, DS]</li> <li>▪ Content of Cadmium, Cd</li> </ul>	
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	<p>[mg/kg, DS]</p> <ul style="list-style-type: none"> <li>▪ Content of Chromium, Cr [mg/kg, DS]</li> <li>▪ Content of Copper, Cu [mg/kg, DS]</li> <li>▪ Content of Nickel, Ni [mg/kg, DS]</li> <li>▪ Content of Mercury, Hg [mg/kg, DS]</li> <li>▪ Content of Zinc, Zn [mg/kg, DS]</li> <li>▪ Content of Tin, Sn [mg/kg, DS]</li> </ul> <p>Other information which may be necessary to evaluate its suitability for the intended incineration process may include:</p> <ul style="list-style-type: none"> <li>• Waste condition at 25°C: <ul style="list-style-type: none"> <li>- homogeneous / heterogeneous</li> <li>- lumps / grain / powder</li> <li>- humid / dry</li> <li>- solid / pasty / liquid</li> <li>- one phase / two phases</li> <li>- high / low viscosity</li> </ul> </li> </ul>	
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	<ul style="list-style-type: none"> <li>• Description of colour</li> <li>• Description of smell (without smell / feeble / intensive smell; character of smell)</li> <li>• Hazardous properties, e.g. explosive, oxidizing, inflammable, highly inflammable, irritant, harmful to health, toxic, carcinogenic, corrosive, infectious, toxic to reproduction, mutagenic, ecotoxic; discharges a toxic gas upon contact with air /acid / base etc.</li> <li>• Solubility in water (good / slightly / partly soluble; insoluble; yields a dispersion in water)</li> <li>• Miscibility with water (good / slightly / partly miscible; immiscible; yields an emulsion with</li> </ul>	
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	<p>water)</p> <ul style="list-style-type: none"> <li>• Solubility in other solvents (please specify)</li> <li>• Miscibility with other solvents (please specify)</li> <li>• Reactions when in contact with <ul style="list-style-type: none"> <li>- distilled water</li> <li>- hydrochloric acid HCl 0,01 mol/l</li> <li>- sodium hydroxide solution NaOH 0,01 mol/l</li> <li>- other acids / bases (please specify)</li> </ul> </li> <li>• Safety aspects for handling / storage (e.g. inhalation protection / breathing mask; eye protection / safety goggles; hand protection / safety gloves; fire prevention</li> </ul>	
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	<p>measures; explosion prevention measures; work hygiene measures etc.)</p> <ul style="list-style-type: none"> <li>• Measures in case of accident / fire, e.g.: <ul style="list-style-type: none"> <li>- recommended measures in case of spillage</li> <li>- recommended extinguish ing agent</li> <li>- extinguish ing agent not to be used</li> <li>- recommended binding agent</li> <li>- first aid measures to be taken</li> </ul> </li> </ul>	
	<p>5. Frequency of analyses: In the case where:</p>	



	<ul style="list-style-type: none"> <li>○ a new waste stream is being brought to the facility information is requested prior to acceptance as per the above.</li> <li>○ waste is accepted without physical and chemical analyses (e.g. non-hazardous waste, pharmaceutical waste and product waste) the waste producer is asked for the information prior to acceptance (as described above) for each and every delivery.</li> <li>○ In the case of a repeated waste stream accepted through the submission of analyses by the waste producer, such analyses are not required for every consignment but rather twice a year.</li> </ul> <p>6. Where waste is accepted through the submission of waste analyses by the waste producer, the operator is obliged to take representative samples, unless inappropriate, before unloading to verify conformity with the</p>	
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	<p>information provided prior to acceptance by means of independent analyses in a laboratory as approved by MEPA. These samples shall be kept for at least one month after incineration.</p>	
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## **PROPOSED LIST OF WASTE**

### **Non-Hazardous Waste**

#### **02 01 Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing**

02 01 02 animal-tissue waste

02 01 09 agrochemical waste other than those mentioned in 02 01 08\*

02 01 99 Waste not otherwise specified

#### **02 02 wastes from the preparation and processing of meat, fish and other foods of animal origin**

02 02 02 animal-tissue waste

02 02 03 materials unsuitable for consumption or processing

02 02 99 waste not otherwise specified

#### **02 03 wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation**

02 03 99 waste not otherwise specified

#### **02 04 wastes from sugar processing**

02 04 99 waste not otherwise specified

#### **02 05 wastes from the dairy products industry**

02 05 99 waste not otherwise specified

**02 06 wastes from the baking and confectionary industry**

02 06 99 waste not otherwise specified

**02 07 wastes from the production of alcoholic and non-alcoholic beverages  
(except coffee, tea and cacao)**

02 07 99 waste not otherwise specified

**03 01 Wastes from wood processing and the production of panels and  
furniture**

03 01 05 sawdust, shavings, cutting, wood, particle board and veneer other than  
those mentioned in 03 01 04

**04 02 wastes from the textile industry**

04 02 15 waste from finishing other than those mentioned in 04 02 14

04 02 17 dyestuffs and pigments other than those mentioned in 04 02 16

04 02 20 sludges from on-site effluent treatment other than those mentioned in  
04 02 19

**06 05 sludges from on-site effluent treatment**

06 05 03 sludges from on-site effluent treatment other than those mentioned in  
06 05 02

**07 01 wastes from the MFSU of basic organic chemicals**

07 01 12 sludges from on-site effluent treatment other than those mentioned in  
07 01 11

**07 02 wastes from the MFSU of plastics, synthetic rubber and man-made  
fibres**

07 02 12 sludges from on-site effluent treatment other than those mentioned in  
07 02 11

07 02 15 wastes from additives other than those mentioned in 07 02 14

07 02 17 waste containing silicones other than those mentioned in 07 02 16

**07 03 wastes from the MFSU of organic dyes and pigments (except 06 11)**

07 03 12 sludges from on-site effluent treatment other than those mentioned in  
07 03 11

**07 04 wastes from the MFSU of organic plant protection products (except  
02 01 08 and 02 01 09), wood preserving agents (except 03 02) and  
other biocides**

07 04 12 sludges from on-site effluent treatment other than those mentioned in  
07 04 11

**07 05 wastes from the MFSU of pharmaceuticals**

07 05 12 sludges from on-site effluent treatment other than those mentioned in  
07 05 11

07 05 14 solid wastes other than those mentioned in 07 05 13

**07 06 wastes from the MFSU of fats, grease, soaps, detergents,  
disinfectants and cosmetics**

07 06 12 sludges from on-site effluent treatment other than those mentioned in  
07 06 11

**07 07 wastes from the MFSU of fine chemicals and chemical products not  
otherwise specified**

07 07 12 sludges from on-site effluent treatment other than those mentioned in  
07 07 11

**08 01 wastes from MFSU and removal of paint and varnish**

08 01 12 waste paint and varnish other than those mentioned in 08 0111

08 01 14 sludges from paint or varnish other than those mentioned in 08 0113

08 01 16 aqueous sludges containing paint or varnish other than those  
mentioned in 08 01 15

08 01 18 waste from paint or varnish removal other than those mentioned in 08  
01 17

08 01 20 aqueous suspensions containing paint or varnish other than those  
mentioned in 08 01 19

**08 03 wastes from MFSU of printing inks**

08 03 07 aqueous sludges containing ink

08 03 13 waste ink other than those mentioned in 08 03 12

08 03 15 ink sludges other than those mentioned in 08 03 14

08 03 18 waste printing toner other than those mentioned in 08 03 17

**08 04 wastes from MFSU of adhesives and sealants (including  
waterproofing products)**

08 04 10 waste adhesives and sealants other than those mentioned in 08 04 09

08 04 12 adhesive and sealant sludges other than those mentioned in 08 04 11

08 04 14 aqueous sludges containing adhesives or sealants other than those  
mentioned in 08 04 13

08 04 16 aqueous liquid waste containing adhesives or sealants other than those  
mentioned in 08 04 15

10 01 25 wastes from fuel storage and preparation of coal-fired power plants



**12 01 wastes from shaping and physical and mechanical surface treatment of metals and plastics**

12 01 15 machining sludges other than those mentioned in 12 01 14

12 01 17 waste blasting material other than those mentioned in 12 01 16

12 01 21 spent grinding bodies and grinding materials other than those mentioned in 12 01 20

**15 01 packaging (including separately collected municipal packaging waste)**

15 01 01 paper and cardboard packaging

15 01 03 wooden packaging

**15 02 absorbents, filter materials, wiping cloths and protective clothing**

15 02 03 absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing other than those mentioned in 15 02 02

**16 01 end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**

16 01 15 antifreeze fluids other than those mentioned in 16 01 14

**16 03 off-specification batches and unused products**

16 03 06 organic wastes other than those mentioned in 16 03 05

**16 10 aqueous liquid wastes destined for off-site treatment**

16 10 02 aqueous liquid wastes other than those mentioned in 16 10 01

16 10 04 aqueous concentrates other than those mentioned in 16 10 03

**16 11 waste linings and refractories**



16 11 02 carbon-based linings and refractories from metallurgical processes  
other than those mentioned in 16 11 01

**17 02 wood, glass and plastic**

17 02 01 wood

**18 01 wastes from natal care, diagnosis, treatment or prevention of disease  
in humans**

18 01 01 sharps (except 18 01 03)

18 01 02 body parts and organs including blood bags and blood preserves  
(except 18 01 03)

18 01 04 waste whose collection and disposal is not subject to special  
requirements in order to prevent infection (e.g. dressings, plaster casts,  
linen, disposable clothing, diapers)

18 01 07 chemicals other than those mentioned in 18 01 06

18 01 09 medicines other than those mentioned in 18 01 08

**18 02 wastes from research, diagnosis, treatment or prevention of disease  
involving animals**

18 02 01 sharps (except 18 02 02)

18 02 03 waste whose collection and disposal is not subject to special  
requirements in order to prevent infection

**18 02 06 chemicals other than those mentioned in 18 02 05**

18 02 08 medicines other than those mentioned in 18 02 07

**19 01 wastes from incineration or pyrolysis of waste**

19 01 12 bottom ash and slag other than those mentioned in 19 01 11

**19 08 wastes from waste water treatment plants not otherwise specified**

19 08 05 sludges from treatment of urban waste water

19 08 09 grease and oil mixture from oil/water separation containing only edible oil and fats

19 08 12 sludges from biological treatment of industrial waste water other than those mentioned in 19 08 11

19 08 14 sludges from other treatment of industrial waste water other than those mentioned in 19 08 13

**19 09 wastes from the preparation of drinking water or water for human consumption or water for industrial use**

19 09 04 spent activated carbon

**19 11 wastes from oil regeneration**

19 11 06 sludges from on-site effluent treatment other than those mentioned in 19 11 05

**19 12 wastes from the mechanical treatment of waste (e.g. sorting, crushing, compacting, pelletising) not otherwise specified**

19 12 01 paper and cardboard

19 12 04 plastic and rubber

19 12 07 wood other than that mentioned in 19 12 06

19 12 08 textiles

19 12 10 combustible waste (refuse derived fuel)

19 12 12 other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11

**19 13 wastes from soil and groundwater remediation**

19 13 04 sludges from soil remediation other than those mentioned in 19 13 03

19 13 06 sludges from groundwater remediation other than those mentioned in  
19 13 05

19 13 08 aqueous liquid wastes and aqueous concentrates from groundwater  
remediation other than those mentioned in 19 13 07

**20 01 separately collected fractions (except 15 01)**

20 01 28 paints, inks, adhesives and resins other than those mentioned in 20 01  
27

20 01 38 wood other than that mentioned in 20 01 37

20 01 32 medicines other than those mentioned in 20 01 31

**Hazardous waste**

**02 01 wastes from agriculture, horticulture, aquaculture, forestry, hunting  
and fishing**

02 01 08\* Agrochemical waste containing dangerous substances

**03 01 Wastes from wood processing and the production of panels and  
furniture**

03 01 04\* sawdust, shavings, cutting, wood, particle board and veneer  
containing dangerous substances

**03 02 wood preservation wastes**

03 02 01\* non-halogenated organic wood preservatives

03 02 03\* organometallic wood preservatives

03 02 05\* other wood preservatives containing dangerous substances

**04 02 Wastes from the textile industry**

04 02 14\* waste from finishing containing organic solvents

04 02 16\* dyestuffs and pigments containing dangerous substances

04 02 19\* sludges from on-site effluent treatment containing dangerous substances

**05 01 Wastes from petroleum refining**

05 01 05\* oil spills

**06 05 sludges from on-site effluent treatment**

06 05 02\* sludges from on-site effluent treatment containing dangerous substances

**06 08 waste from the MFSU of silicon and silicon derivatives**

06 08 02\* waste containing dangerous silicones

**06 13 wastes from inorganic chemical processes**

06 13 02\* spent activated carbon (except 06 07 02

06 10 05\* soot

**07 01 wastes from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals**

07 01 01\* aqueous washing liquids and mother liquors

07 01 04\* other organic solvents, washing liquids and mother liquors

07 01 08\* other still bottoms and reaction residues

07 01 10\* other filter cakes and spent absorbents

07 01 11\* sludges from on-site effluent treatment containing dangerous substances

**07 02 wastes from the MFSU of plastics, synthetic rubber and man-made fibres**

07 02 01\* aqueous washing liquids and mother liquors

07 02 04\* other organic solvents, washing liquids and mother liquors

07 02 08\* other still bottoms and reaction residues

07 02 10\* other filter cakes and spent absorbents

07 02 11\* sludges from on-site effluent treatment containing dangerous substances

07 02 14\* wastes from additives other than those containing dangerous substances

07 02 16\* waste containing dangerous silicones

**07 03 wastes from the MFSU of organic dyes and pigments (except 06 11)**

07 03 01\* aqueous washing liquids and mother liquors

07 03 04\* other organic solvents, washing liquids and mother liquors

07 03 08\* other still bottoms and reaction residues

07 03 10\* other filter cakes, spent absorbents

07 03 11\* sludges from on-site effluent treatment containing dangerous substances

**07 04 wastes from the MFSU of organic plant protection products (except 02 01 08 and 02 01 09), wood preserving agents (except 03 02) and other biocides**

07 04 01\* aqueous washing liquids and mother liquors

07 04 04\* other organic solvents, washing liquids and mother liquors

07 04 08\* other still bottoms and reaction residues

07 04 10\* other filter cakes and spent absorbents

07 04 11\* sludges from on-site effluent treatment containing dangerous substances

07 04 13\* solid wastes containing dangerous substances

**07 05 wastes from the MFSU of pharmaceuticals**

07 05 01\* aqueous washing liquids and mother liquors

07 05 04\* other organic solvents, washing liquids and mother liquors

07 05 08\* other still bottoms and reaction residues

07 05 10\* other filter cakes and spent absorbents

07 05 11\* sludges from on-site effluent treatment containing dangerous substances

07 05 13\* solid wastes containing dangerous substances

**07 06 wastes from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics**

07 06 01\* aqueous washing liquids and mother liquors

07 06 04\* other organic solvents, washing liquids and mother liquors

07 06 08\* other still bottoms and reaction residues

07 06 10\* other filter cakes and spent absorbents

07 06 11\* sludges from on-site effluent treatment containing dangerous substances

**07 07 wastes from the MFSU of fine chemicals and chemical products not otherwise specified**

07 07 01\* aqueous washing liquids and mother liquors

07 07 04\* other organic solvents, washing liquids and mother liquors

07 07 08\* other still bottoms and reaction residues

07 07 10\* other filter cakes and spent absorbents

07 07 11\* sludges from on-site effluent treatment containing dangerous substances

**08 01 wastes from MFSU and removal of paint and varnish**

08 01 11\* waste paint and varnish containing organic solvents or other dangerous substances

08 01 13\* sludges from paint or varnish containing organic solvents or other dangerous substances

08 01 15\* aqueous sludges containing paint or varnish containing organic solvents or other dangerous substances

08 01 17\* waste from paint or varnish removal containing organic solvents or other dangerous substances

08 01 19 \* aqueous suspensions containing paint or varnish containing organic solvents or other dangerous substances

08 01 21\* waste paint or varnish remover

**08 03 wastes from MFSU of printing inks**

08 03 12\* waste ink containing dangerous substances

08 03 14\* ink sludges containing dangerous substances

08 03 16\* waste etching solutions

08 03 17\* waste printing toner containing dangerous substances

08 03 19\* disperse oil

**08 04 wastes from MFSU of adhesives and sealants (including waterproofing products)**

08 04 09\* waste adhesives and sealants containing organic solvents or other dangerous substances

08 04 11\* adhesive and sealant sludges containing organic solvents or other dangerous substances

08 04 13\* aqueous sludges containing adhesives or sealants containing organic solvents or other dangerous substances

08 04 15\* aqueous liquid waste containing adhesives or sealants with organic solvents or other dangerous substances

08 04 17\* rosin oil

**08 05 wastes not otherwise specified in 08**

08 05 01\* waste isocyanates

10 01 04\* oil fly ash and boiler dust

**11 03 sludges and solids from tempering processes**

11 03 02\* other wastes

**12 01 wastes from shaping and physical and mechanical surface treatment of metals and plastics**

12 01 07\* mineral-based machining oils free of halogens (except emulsions and solutions)

12 01 09\* machining emulsions and solutions free of halogens

12 01 10\* synthetic machining oils



12 01 12\* spent waxes and fats

12 01 14\* machining sludges containing dangerous substances

12 01 16\* waste blasting material containing dangerous substances

12 01 18\* metal sludge (grinding, honing and lapping solution) containing oil

12 01 19\* readily biodegradable machining oil

12 01 20\* spent grinding bodies and grinding materials containing oil

### **13 01 waste hydraulic oils**

13 01 01\* hydraulic oils, containing PCBs

13 01 10\* mineral-based non-chlorinated hydraulic oils

13 01 11\* synthetic hydraulic oils

13 01 12\* readily biodegradable hydraulic oils

13 01 13\* other hydraulic oils

### **13 02 waste engine, gear and lubricating oils**

13 02 05\* mineral-based non-chlorinated engine, gear and lubricating oils

13 02 06\* synthetic engine, gear and lubricating oils

13 02 07\* readily biodegradable insulating and heat transmission oils

13 02 08\* other engine, gear and lubricating oils

### **13 03 waste insulating and heat transmission oils and other liquids**

13 03 01\* insulating or heat transmission oils containing PCBs

13 02 07\* mineral-based non-chlorinated insulating and heat transmission oils

13 02 08\* synthetic insulating and heat transmission oils

13 02 09\* readily biodegradable insulating and heat transmission oils

13 02 10\* other engine, gear and lubricating oils

**13 03 waste insulating and heat transmission oils**

13 03 07\* mineral-based non-chlorinated insulating and heat transmission oils

13 03 08\* synthetic insulating and heat transmission oils

13 03 09\* readily biodegradable insulating and heat transmission oils

13 03 10\* other insulating and heat transmission oils

**13 04 bilge oils**

13 04 01\* bilge oils from inland navigation

13 04 02\* bilge oils from jetty sewers

13 04 03\* bilge oils from other navigation

**13 05 oil/water separator contents**

13 05 01\* solids from grit chambers and oil/water separators

13 05 02\* sludges from oil/water separators

13 05 03\* interceptor sludges

13 05 06\* oil from oil / water separators

13 05 07\* oily water from oil / water separators

13 05 08\* mixtures of wastes from grit chambers and oil / water separators

**13 07 wastes of liquid fuels**

13 07 01\* fuel oil and diesel

13 07 02\* petrol

13 07 03\* other fuels (including mixtures)

**13 08 oil wastes not otherwise specified**

13 06 01\* desalter sludges or emulsions

13 08 02\* other emulsions

13 08 99\* wastes not otherwise specified

**15 01 packaging (including separately collected municipal packaging waste)**

15 01 10\* packaging containing residues of or contaminated by dangerous substances

**15 02 absorbents, filter materials, wiping cloths and protective clothing**

15 02 02\* absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by dangerous substances

**16 01 end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**

16 01 07\* oil filters

16 01 13\* brake fluids

16 01 14\* antifreeze fluids containing dangerous substances

16 01 21\* hazardous components other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14

**16 03 off-specification batches and unused products**

16 03 05\* organic wastes containing dangerous substances

**16 07 wastes from transport tank, storage tank and barrel cleaning (except 05 and 13)**

16 07 08\* wastes containing oil

16 07 09\* waste containing other dangerous substances

**16 10 aqueous liquid wastes destined for off-site treatment**

16 10 01\* aqueous liquid wastes containing dangerous substances

16 10 03\* aqueous concentrates containing dangerous substances

**16 11 waste linings and refractories**

16 11 01\* carbon-based linings and refractories from metallurgical processes containing dangerous substances

**18 01 wastes from natal care, diagnosis, treatment or prevention of disease in humans**

18 01 03\* waste whose collection and disposal is subject to special requirements in order to prevent infection

18 01 06\* chemicals consisting of or containing dangerous substances

**18 02 wastes from research, diagnosis, treatment or prevention of disease involving animals**

18 02 02\* waste whose collection and disposal is subject to special requirements in order to prevent infection

18 02 05\* chemicals consisting of or containing dangerous substances

**19 01 wastes from incineration or pyrolysis of waste**

19 01 10\* spent activated carbon from flue-gas treatment

**19 02 wastes from physico/chemical treatments of industrial waste (including dechromatation, decyanidation and neutralisation)**

19 02 07\* oil and concentrates from separation

19 02 11\* other wastes containing dangerous substances

## **19 08 wastes from waste water treatment plants not otherwise specified**

19 08 07\* solutions and sludges from regeneration of ion exchangers

19 08 09\* grease and oil mixture from oil/water separation containing only edible oil and fats (not hazardous)

19 08 10\* grease and oil mixture from oil/water separation other than those mentioned in 19 08 09

19 08 11\* sludges containing dangerous substances from biological treatment of industrial waste water

19 08 13\* sludges containing dangerous substances from other treatment of industrial waste water

## **19 11 wastes from oil regeneration**

19 11 01\* spent filter clays

19 11 02\* acid tars

19 11 03\* aqueous liquid wastes

19 11 04\* wastes from cleaning of fuel with bases

19 11 05\* sludges from on-site effluent treatment containing dangerous substances

## **19 12 wastes from the mechanical treatment of waste (e.g. sorting, crushing, compacting, pelletising) not otherwise specified**

19 12 06\* wood containing dangerous substances

19 12 11\* other wastes (including mixtures of materials) from mechanical treatment of waste containing dangerous substances

## **19 13 wastes from soil and groundwater remediation**

19 13 03\* sludges from soil remediation containing dangerous substances

19 13 05\* sludges from groundwater remediation containing dangerous substances

19 13 07\* aqueous liquid wastes and aqueous concentrates from groundwater remediation containing dangerous substances

**20 01 separately collected fractions (except 15 01)**

20 01 13\* solvents

20 01 14\* acids

20 05 15\* alkalines

20 01 19\* pesticides

20 01 26\* oil and fat other than those mentioned in 20 01 25

20 01 27\* paints, inks, adhesives and resins containing dangerous substances