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STATUTORY INSTRUMENTS

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**1997 No. 2778**

**The Waste and Contaminated Land  
(Northern Ireland) Order 1997**

**PART II**

**WASTE ON LAND**

*Collection, disposal or treatment of controlled waste*

**Waste management [F<sup>1</sup>plan]**

[F<sup>2</sup>19.—(1) The Department shall have a waste management [F<sup>3</sup>plan] containing its policies in relation to the recovery and disposal of waste in Northern Ireland.

[F<sup>4</sup>(2) The Department—

(a) shall review the waste management [F<sup>5</sup>plan] at least every sixth year;

(b) may from time to time modify the waste management [F<sup>6</sup>plan] ;

but this paragraph shall not apply to so much of a waste management [F<sup>7</sup>plan] as relates to the matters mentioned in paragraphs [F<sup>8</sup>8 to 11] of Part 2 of Schedule 3.]

(3) The waste management [F<sup>9</sup>plan] shall consist of a statement which relates to the whole of Northern Ireland.

[F<sup>10</sup>(4) The waste management [F<sup>11</sup>plan] :-

(a) shall include a statement of the Department's policies for attaining the objectives set out in Part 1 Schedule 3;

(b) shall include the matters set out in Part 2 of that Schedule; F<sup>12</sup> ...

(c) may include the matters set out in Part 3 of that Schedule [F<sup>13</sup>; and]]

[F<sup>14</sup>(d) for the purposes of litter prevention, must conform to—

(i) the programmes of measures published pursuant to regulation 14(1) of the Marine Strategy Regulations 2010; and

(ii) each programme of measures proposed under regulation 12(1) of the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017.]

[F<sup>15</sup>(4A) Steps taken before the coming into operation of this paragraph in relation to the waste management [F<sup>16</sup>plan] may be steps for the purposes of Articles 19, 19A, 19B and 19C.]

(5) In preparing the waste management [F<sup>17</sup>plan] the Department—

(a) shall consult district councils and such other bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and may consult such other bodies or persons as it considers appropriate;

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- (b) may carry out a survey or investigation into—
- (i) the kinds or quantities of waste which it appears to it is likely to be situated in Northern Ireland,
  - (ii) the facilities which are or appear to it likely to be available or needed in Northern Ireland for recovering or disposing of any such waste,
  - (iii) any other matter which the Department considers appropriate in connection with its preparation of the [F18]plan].

(6) Before carrying out a survey or investigation under paragraph (5)(b), the Department shall consult such bodies or persons appearing to it to be representative of the interests of industry as it may consider appropriate, and shall consult such other bodies or persons as it may consider appropriate.

(7) The Department shall make its findings available to any bodies or persons it consults in accordance with paragraph (5)(a) or (6).

[F19](8) The Department shall ensure that the waste management [F20]plan] conforms to the [F20]plan] for the reduction of biodegradable waste going to landfill required by section 20(1) of the Waste and Emissions Trading Act 2003.]]

- F1** Word in art. 19 heading substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F2** Art. 19 substituted (1.7.2009) by [Waste Management Strategy Regulations \(Northern Ireland\) 2009 \(S.R. 2009/178\)](#), **reg. 2(4)**
- F3** Word in art. 19(1) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F4** Art. 19(2) substituted (8.4.2011) by [Waste Regulations \(Northern Ireland\) 2011 \(S.R. 2011/127\)](#), regs. 1(1), **5(1)(a)** (with [reg. 9\(2\)](#))
- F5** Word in art. 19(2)(a) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F6** Word in art. 19(2)(b) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F7** Word in art. 19(2)(b) substituted (16.1.2020) by virtue of [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F8** Words in art. 19(2) substituted (18.12.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/285\)](#), regs. 1(1), **2(5)**
- F9** Word in art. 19(3) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F10** Art. 19(4) substituted (8.4.2011) by [Waste Regulations \(Northern Ireland\) 2011 \(S.R. 2011/127\)](#), regs. 1(1), **5(1)(b)** (with [reg. 9\(2\)](#))
- F11** Word in art. 19(4) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F12** Word in art. 19(4) omitted (18.12.2020) by virtue of [The Waste \(Circular Economy\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/285\)](#), regs. 1(1), **2(6)(a)**
- F13** Words in art. 19(4)(c) substituted (18.12.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/285\)](#), regs. 1(1), **2(6)(b)**
- F14** Art. 19(4)(d) inserted (18.12.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/285\)](#), regs. 1(1), **2(6)(c)**
- F15** Art. 19(4A) inserted (8.4.2011) by [Waste Regulations \(Northern Ireland\) 2011 \(S.R. 2011/127\)](#), regs. 1(1), **5(1)(c)** (with [reg. 9\(2\)](#))
- F16** Word in art. 19(4A) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F17** Word in art. 19(5) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**

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- F18** Word in art. 19(5)(b)(iii) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**
- F19** Art. 19(8) inserted (8.4.2011) by [Waste Regulations \(Northern Ireland\) 2011 \(S.R. 2011/127\)](#), regs. 1(1), **5(1)(d)** (with [reg. 9\(2\)](#))
- F20** Word in art. 19(8) substituted (16.1.2020) by [The Waste Regulations \(Northern Ireland\) 2019 \(S.R. 2019/240\)](#), regs. 1, **5**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 58(1A) inserted by [2011 c. 5 \(N.I.\) s. 8\(3\)](#)
- art. 70(2A)-(2C) inserted by [2011 c. 5 \(N.I.\) s. 9](#)