
STATUTORY INSTRUMENTS

1997 No. 2778

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

PART II

WASTE ON LAND

Special waste and non-controlled waste

Waste other than controlled waste

31.—(1) ^{F1}.....

(2) A person who deposits, or knowingly causes or knowingly permits the deposit of, any waste—

(a) which is not controlled waste, but

(b) which, if it were controlled waste, would be^{F2} hazardous waste],

in a case where he would be guilty of an offence under Article 4 if the waste were^{F2} hazardous waste] and any management licence were not in force, shall, subject to paragraph (3), be guilty of that offence and punishable as if the waste were^{F2} hazardous waste].

(3) No offence is committed under paragraph (2) if the act charged was done under and in accordance with any consent, licence, approval or authority granted under any statutory provision (excluding any planning permission under the ^{F3}Planning Act (Northern Ireland) 2011] .)

(4) ^{F1}.....

F1 Art. 31(1)(4) repealed (31.7.2006) by [S.R. 2006/280, reg. 2\(8\)](#)

F2 SR 2005/300

F3 Words in art. 31(3) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 6 para. 87](#) (with s. 211); [S.R. 2015/49, arts. 2, 3, Sch. 1](#) (with [Sch. 2](#) (as amended (16.3.2016) by [S.R. 2016/159, art. 2](#)))

Changes to legislation:

The Waste and Contaminated Land (Northern Ireland) Order 1997, Section 31 is up to date with all changes known to be in force on or before 11 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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](#)