

SCHEDULE 3

WASTE FRAMEWORK DIRECTIVE etc.

PART I

GENERAL

Registration by professional collectors and transporters of waste, and by dealers and brokers

12.—(1) Subject to sub-paragraph (3), it shall be an offence for an establishment or undertaking falling within sub-paragraph (a), (b), (d), (g) or (h) of regulation 2(1) of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999⁽¹⁾ after 19th August 2004 to collect or transport waste on a professional basis unless it is registered in accordance with the provisions of this paragraph.

(2) Subject to sub-paragraph (3), it shall be an offence for an establishment or undertaking falling within sub-paragraph (a), (b) or (c) of regulation 22(4) after 19th August 2004 to arrange for the recovery or disposal of waste on behalf of another person unless it is registered in accordance with the provisions of this paragraph.

(3) Sub-paragraphs (1) and (2) do not apply in cases where the establishment or undertaking is carrying on the activities therein mentioned pursuant to, and in accordance with the terms and conditions of, a permit.

(4) An establishment or undertaking that operates within Northern Ireland shall register with the Department whether or not it has its place of business in Northern Ireland.

(5) The Department shall establish and maintain a register of establishments and undertakings registering with it under the provisions of this paragraph.

(6) The register shall contain the following particulars in relation to each such establishment or undertaking –

- (a) the name of the establishment or undertaking;
- (b) the address of its principal place of business; and
- (c) the address of any place at or from which it carries on its business.

(7) The Department shall enter the relevant particulars in the register in relation to an establishment or undertaking if it receives notice of them in writing from that establishment or undertaking.

(8) A person guilty of an offence under sub-paragraph (1) or (2) shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) The Department shall secure that any register maintained by it under this paragraph is open to inspection by members of the public free of charge at all reasonable hours and shall afford to members of the public reasonable facilities for obtaining, on payment of reasonable charges, copies of entries in the register.

(10) Registers under this paragraph may be kept in any form.

(11) In this paragraph, “collect” and “transport” have the same meaning as they have in Article 12 of the Directive.

(1) S.R. 1999 No. 362; regulation 2(1)(d) is amended by regulation 25(3) of these Regulations

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.