

2019 No. 240

**ENVIRONMENTAL PROTECTION, NORTHERN
IRELAND**

The Waste Regulations (Northern Ireland) 2019

Made - - - - - *23 December 2019*

Coming into operation- - - - - *16 January 2020*

The Department of Agriculture, Environment and Rural Affairs makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972^(a).

The Department of Agriculture, Environment and Rural Affairs^(b) is designated^(c) in relation to measures relating to the prevention, reduction and elimination of pollution caused by waste and in relation to the environment.

PART 1

Introductory

Citation, commencement and extent

1. These Regulations may be cited as the Waste Regulations (Northern Ireland) 2019 and shall come into operation on 16 January 2020.
2. These Regulations extend to Northern Ireland only.

PART 2

Amendment of primary legislation

Amendment of the Waste and Contaminated Land (Northern Ireland) Order 1997

3. The Waste and Contaminated Land (Northern Ireland) Order 1997^(d) is amended as follows.
4. In Article 2(2), for “strategy” substitute “plan”.

(a) 1972 c. 68. Section 2(2) was amended by section 27(1) of the Legislative and regulatory Reform Act 2006 (c. 51) and section 3(3) or, and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7) and is prospectively repealed by the European Union (Withdrawal) Act 2018 (c.16), section 1.

(b) The Department of the Environment was dissolved by section 1(9) of the Departments Act (Northern Ireland) 2016 and, by virtue of Article 8(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016, its functions for the purpose of these Regulations were transferred to the Department of Agriculture, Environment and Rural Affairs.

(c) The Department was designated under the European Communities (Designation) Order 1996 under Article 2 and the Schedule (S.I. 2008/301)

(d) S.I. 1997/2778 (N.I. 19), as relevantly amended by S.R. 2009 No. 178 and S.R. 2011 No. 127

5. In Article 19 in the heading, paragraph (1), (2)(a), (2)(b), (3), (4), (4A), (5), (5)(b)(iii) and (8), for “strategy” substitute “plan”.

6. In Article 19A in paragraph (1), (2)(a) and (2)(b), for “strategy” substitute “plan”.

7. In Article 19B in paragraph (1), (1)(b)(i) and (1)(b)(ii), for “strategy” substitute “plan”.

8. In Article 19C in paragraph (1), (2), (2)(c), (3) and (4)(a), for “strategy” substitute “plan”.

9. In Article 23(2)(a), for “strategy” substitute “plan”.

10. In Schedule 3—

- (a) in the heading of Schedule 3, for “STRATEGY” substitute “PLAN”;
- (b) the heading of Part 2, for “strategy” substitute “plan”;
- (c) in paragraph (5), (5)(b), (6), (7) and (8), for “strategy” substitute “plan”;
- (d) in the heading of Part 3, for “strategy” substitute “plan”; and
- (e) in paragraph (9), for “strategy” substitute “plan”.

Amendment of the Environment (Northern Ireland) Order 2002

11. The Environment (Northern Ireland) Order 2002(a) is amended as follows.

12. In Article 7(1)(a), for “strategy” substitute “waste management plan”.

Amendment of the Waste and Emissions Trading Act 2003

13. The Waste and Emissions Trading Act 2003(b) is amended as follows.

14. In section 20—

- (a) in the heading for “Strategy” substitute “Plan”; and
- (b) in paragraph (1) and (2), for “strategy” substitute “plan”.

PART 3

Amendment of subordinate legislation

Amendment of the Waste Management Licensing Regulations (Northern Ireland) 2003

15. The Waste Management Licensing Regulations (Northern Ireland) 2003(c) are amended as follows.

16. In Schedule 3 in paragraph 3(1), Table 13, for “strategy” substitute “plan”.

Amendment of the Hazardous Waste Regulations (Northern Ireland) 2005

17. The Hazardous Waste Regulations (Northern Ireland) 2005(d) are amended as follows.

18. In regulation 47(2)—

- (a) for “waste strategy” substitute “waste management plan”; and
- (b) for “strategy” substitute “plan”.

(a) S.I. 2002/3153 (N.I. 7)

(b) 2003 c.33

(c) S.R. 2003 No. 493, as relevantly amended by S.R. 2011 No. 127

(d) S.R. 2005 No. 300, as relevantly amended by S.R. 2011 No. 127 and prospectively amended by S.I. 2019/289

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007

19. The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007(a) are amended as follows.

20. In regulation 4(4)(d)(iv)—

- (a) for “strategy” substitute “plan”; and
- (b) for “18” substitute “19”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 23 December 2019.



John Mills

A senior officer of the Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 2(2) of the European Communities Act 1972(b) in order to ensure that the requirements of the revised Waste Framework Directive(c) have been met.

Part 2 makes amendments to primary legislation in order to ensure that the requirements of the revised Waste Framework Directive have been met.

Part 3 makes amendments to subordinate legislation in order to ensure that the requirements of the revised Waste Framework Directive have been met.

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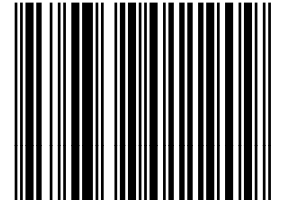
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- (a) S.R 2007 No. 198
 - (b) 1972 c. 68. 1972 c. 68. Section 2(2) was amended by section 27(1) of the Legislative and regulatory Reform Act 2006 (c. 51) and section 3(3) or, and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7) and is prospectively repealed by the European Union (Withdrawal) Act 2018 (c.16), section 1.
 - (c) OJ No L 312 22.11.2008

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