
DRAFT STATUTORY INSTRUMENTS

2011 No.

The Waste (England and Wales) Regulations 2011

PART 1

General

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Waste (England and Wales) Regulations 2011.
- (2) Subject to paragraph (3), they come into force on the day after the day on which they are made.
- (3) Regulation 12 comes into force at the end of the period of 6 months beginning with the day on which these Regulations are made.
- (4) These Regulations extend to England and Wales.

Application

2. Subject to regulation 47(2), these Regulations do not apply in relation to waste which is excluded from the scope of the Waste Framework Directive by Article 2(1), (2) or (3) of that Directive.

Interpretation

- 3.—(1) In these Regulations—
- “appropriate authority” means—
- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- “controlled waste” has the meaning given in section 75(4) of the Environmental Protection Act 1990(1);
- “hazardous waste”—
- (a) in relation to England has the meaning given in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005(2);
- (b) in relation to Wales has the meaning given in regulation 6 of the Hazardous Waste (Wales) Regulations 2005(3);
- “national waste management plan” means a waste management plan prepared by an appropriate authority;

(1) 1990 c. 43. The definition of “controlled waste” depends on the definitions of “household waste” in section 75(5), “industrial waste” in section 75(6) and “commercial waste” in section 75(7). Section 75(6) and (7) was amended by S.I. 2006/937.

(2) S.I. 2005/894, to which there are amendments not relevant to these Regulations.

(3) S.I. 2005/1806 (W. 138), to which there are amendments not relevant to these Regulations.

“waste collection authority” means an authority which is a waste collection authority for the purposes of Part 2 of the Environmental Protection Act 1990(4);

“the Waste Framework Directive” means Directive 2008/98/EC of the European Parliament and of the Council on waste(5);

“waste management plan” has the meaning given in regulation 7(1);

“waste prevention programme” has the meaning given in regulation 4(1) and (2).

(2) Terms which are used but not defined in these Regulations and are used in the Waste Framework Directive have the same meaning as in that Directive.

(4) See section 30(3), which was amended by the Local Government (Wales) Act 1994, sections 22(3) and 66(8) and paragraph 17(3) of Schedule 9.

(5) OJ No L 312, 22.11.2008, p3.