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STATUTORY INSTRUMENTS

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**1993 No. 566**

**ENVIRONMENTAL PROTECTION**

**The Controlled Waste (Amendment) Regulations 1993**

*Made* - - - - *10th March 1993*  
*Laid before Parliament* *11th March 1993*  
*Coming into force* - - *1st April 1993*

The Secretary of State, in exercise of powers conferred by section 75(7)(d) and (8) of the Environmental Protection Act 1990<sup>(1)</sup>, and all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Controlled Waste (Amendment) Regulations 1993 and shall come into force on 1st April 1993.

**Amendment of the Controlled Waste Regulations 1992**

2. In regulations 3(2) and 7(2) of the Controlled Waste Regulations 1992<sup>(2)</sup>, for the words “at any time before 1st April 1993” there shall be substituted the words “at any time before the day appointed under section 164(3) of the Act for the repeal of sections 3 to 10 of the Control of Pollution Act 1974<sup>(3)</sup> in relation to controlled waste which is scrap metal”.

Department of the Environment  
10th March 1993

*Michael Howard*  
One of Her Majesty’s Principal Secretaries of  
State

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(1) 1990 c. 43.  
(2) S.I.1992/588.  
(3) 1974 c. 40.

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend provisions of the Controlled Waste Regulations 1992 (“the 1992 Regulations”) relating to scrap metal.

Section 34 of the Environmental Protection Act 1990 (“the Act”) imposes a duty of care on any person who imports, produces, carries, keeps, treats or disposes of controlled waste or, as a broker, has control of such waste. Regulations 3(2) and 7(2) of the 1992 Regulations provide that scrap metal shall not be treated as household waste, industrial waste or commercial waste for the purposes of that section at any time before 1st April 1993.

The effect of the amendments made by these Regulations is that the duty of care under section 34 of the Act will not apply in relation to scrap metal until the day on which the disposal licensing provisions of Part I of the Control of Pollution Act 1974 for scrap metal are repealed.