
STATUTORY INSTRUMENTS

1994 No. 1056

The Waste Management Licensing Regulations 1994

Exemptions from waste management licensing

17.—(1) Subject to the following provisions of this regulation and to any conditions or limitations in Schedule 3, section 33(1)(a) and (b) of the 1990 Act shall not apply in relation to the carrying on of any exempt activity set out in that Schedule.

(2) In the case of an exempt activity set out in paragraph 4, 7, 9, 11, 13, 14, 15, 17, 18, 19, 25, 37, 40 or 41 of Schedule 3, paragraph (1) above only applies if—

- (a) the exempt activity is carried on by or with the consent of the occupier of the land where the activity is carried on; or
- (b) the person carrying on the exempt activity is otherwise entitled to do so on that land.

(3) Unless otherwise indicated in Schedule 3, paragraph (1) above does not apply to the carrying on of an exempt activity insofar as it involves special waste.

(4) Paragraph (1) above only applies in relation to an exempt activity involving the disposal or recovery of waste by an establishment or undertaking if the type and quantity of waste submitted to the activity, and the method of disposal or recovery, are consistent with the need to attain the objectives mentioned in paragraph 4(1)(a) of Part I of Schedule 4.

(5) For the purposes of Schedule 3, a container, lagoon or place is secure in relation to waste kept in it if all reasonable precautions are taken to ensure that the waste cannot escape from it and members of the public are unable to gain access to the waste, and any reference to secure storage means storage in a secure container, lagoon or place.