
STATUTORY INSTRUMENTS

1994 No. 1137

ENVIRONMENTAL PROTECTION

The Transfrontier Shipment of Waste Regulations 1994

<i>Made</i>	- - - -	<i>22nd April 1994</i>
<i>Laid before Parliament</i>		<i>25th April 1994</i>
<i>Coming into force</i>	- -	<i>6th May 1994</i>

The Secretary of State, being the Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures relating to the regulation and control of the transit, import and export of waste (including recyclable materials) and the prevention, reduction and elimination of pollution caused by waste, in exercise of the powers conferred on him by section 2(2) of that Act, sections 2, 3 and 9(1)(c) of the Control of Pollution (Amendment) Act 1989⁽³⁾, section 74(6) of the Environmental Protection Act 1990⁽⁴⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Transfrontier Shipment of Waste Regulations 1994 and shall come into force on 6th May 1994.

Interpretation

2.—(1) In these Regulations “the principal Regulation” means Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community⁽⁵⁾.

(2) Unless the context otherwise requires—

- (a) expressions used in these Regulations shall have the meaning they bear in the principal Regulation; and
- (b) any reference in these Regulations to an Article is to an Article of the principal Regulation, including that Article as applied by any other provision of the principal Regulation.

(1) S.I.1993/2661 and 1992/2870.
(2) 1972 c. 68.
(3) See the definition of “prescribed”.
(4) 1989 c. 14.
(5) 1990 c. 43.

Competent authorities of dispatch and destination

3. The following authorities shall be the competent authorities of dispatch and destination in relation to their areas for the purpose of the principal Regulation—

- (a) in Great Britain, waste regulation authorities within the meaning of section 30 of the Environmental Protection Act 1990;
- (b) in Northern Ireland, district councils within the meaning of section 1 of the Local Government Act (Northern Ireland) 1972⁽⁶⁾.

Competent authority of transit

4. The Secretary of State shall be the competent authority of transit for the purpose of the principal Regulation.

Correspondent

5. The Secretary of State shall be the correspondent for the purpose of the principal Regulation.

Transmission of notification by competent authority of dispatch

6.—(1) If a competent authority of dispatch decides, in relation to the notifications referred to in Article 3(1), 6(1) or 15(1) relating to shipments of waste dispatched from its area, or in relation to any class of such notifications, to transmit the notification itself to the competent authority of destination, with copies to the consignee and to any competent authority of transit, it shall give notice by advertisement of that decision.

(2) A notice of a decision under paragraph (1) above shall describe the notifications to which the competent authority's decision applies and the decision which is the subject of the notice shall take effect 2 weeks after the publication of the last of the notices required to be published.

(3) Where a decision under paragraph (1) above takes effect, a notifier who intends to make a shipment of waste which requires a notification to which the competent authority's decision applies shall send the required notification to the authority which published the notice and shall not send copies of that notification to any other competent authority or to the consignee.

(4) Subject to paragraph (5) below, a competent authority which receives a notification in accordance with paragraph (3) above shall, within 3 working days of receiving the notification, transmit it to the competent authority of destination, with copies to the consignee and any competent authority of transit.

(5) Where the notification relates to the shipment of waste for disposal, paragraph (4) above shall not apply if the competent authority of dispatch has immediate objections to raise against the shipment in accordance with Article 4(3).

(6) A competent authority which has published notice of a decision in accordance with this regulation may withdraw it at any time by giving notice by advertisement of the withdrawal and the withdrawal shall take effect 2 weeks after the publication of the last of the notices required to be published.

(7) In this regulation “notice by advertisement” means—

- (a) in relation to notice by a competent authority in England or Wales, a notice published in the London Gazette and in at least one local newspaper circulating in the area of that authority;
- (b) in relation to notice by a competent authority in Scotland, a notice published in the Edinburgh Gazette and in at least one local newspaper circulating in the area of that authority; and

(6) OJ No. L30, 6.2.1993, p.1.

- (c) in relation to notice by a competent authority in Northern Ireland, a notice published in the Belfast Gazette and in at least 3 local newspapers circulating in the area of that authority.

Financial guarantees or equivalent insurance

7.—(1) No person shall ship waste into or out of the United Kingdom unless a certificate has been issued in relation to the shipment under this regulation.

(2) An application for a certificate under this regulation shall be made to the authority which is the competent authority of dispatch, destination or transit in the United Kingdom (as the case may be) in relation to the shipment.

(3) A competent authority which receives an application under paragraph (2) above shall issue the certificate requested if it is satisfied that there is in force in respect of the shipment, or will be at the time the waste is shipped into or out of the United Kingdom (as the case may be), a financial guarantee or equivalent insurance satisfying the requirements of Article 27.

(4) A competent authority shall make its decision on an application under paragraph(2) above—

- (a) in respect of a shipment to which Article 3 applies, within 20 days following receipt of the application if it is a competent authority of dispatch or transit or within 30days if it is a competent authority of destination;
- (b) in respect of a shipment to which Article 6 applies, within 30 days following receipt of the application;
- (c) in respect of a shipment to which Article 15 applies, within 70 days following receipt of the application;
- (d) in respect of a shipment to which Article 20 applies, within 60 days following receipt of the application if it is a competent authority of transit or 70 days if it is a competent authority of destination;
- (e) in respect of a shipment to which Article 23 applies, within 60 days following receipt of the application if it is the last competent authority of transit within the Community or otherwise within 20 days.

(5) A certificate issued under this regulation shall certify that the competent authority is satisfied as mentioned in paragraph (3) above.

Power of competent authority of dispatch to ensure return of waste

8.—(1) Where a competent authority of dispatch is required by Article 25(1) or 26(2) to ensure that waste is returned to the United Kingdom it may serve a notice on the notifier concerned under paragraph (2) below.

(2) A notice served under this paragraph shall require the notifier to return the waste to an area within the United Kingdom specified in the notice by a date so specified.

(3) The date specified in a notice under paragraph (2) above shall allow the notifier a reasonable time to comply with the notice, having regard, in particular, to the location of the waste at the time the notice is served.

(4) Where a notifier fails to comply with a notice served on him under paragraph (2) above, the competent authority may serve a further notice on the notifier stating that the authority intends to act as the agent of the notifier to effect the return of the waste to the United Kingdom in order to fulfil the obligations of the authority under Article 25(1) or 26(2), as the case may be.

(5) Where a competent authority serves a notice under paragraph (4) above it may act as the agent of the notifier so far as is necessary to effect the return of the waste as mentioned in that paragraph and the notifier shall provide the competent authority with such information and assistance as the authority may reasonably request in writing to enable it to effect the return of the waste.

(6) Where a competent authority acts under paragraph (5) above it shall be deemed to be the duly authorised agent of the notifier acting within the scope of its authority.

Power of competent authority of destination to ensure disposal of waste

9.—(1) Where a competent authority of destination is required by Article 26(3) to ensure the disposal or recovery of waste in an environmentally sound manner it may serve a notice on the consignee concerned under paragraph (2) below.

(2) A notice served under this paragraph shall require the consignee to ensure the disposal or recovery of waste in an environmentally sound manner in accordance with the notice and by a date specified in the notice.

(3) The date specified in a notice under paragraph (2) above shall allow the consignee a reasonable time to comply with the notice.

(4) Where a consignee fails to comply with a notice served on him under paragraph (2) above the competent authority may serve a further notice on the consignee stating that the powers set out in paragraph (6) below will be exercised on behalf of the authority so far as is necessary to enable it to effect the disposal or recovery of the waste in order to fulfil its obligations under Article 26(3).

(5) The powers referred to in paragraph (4) above shall be exercised on behalf of the competent authority, in Great Britain, by an inspector appointed under section 68(3) of the Environmental Protection Act 1990(7) and, in Northern Ireland, by a person authorised in writing by the authority to exercise those powers (“authorised person”).

(6) Pursuant to a notice served under paragraph (4) above, an inspector or authorised person may, on production of his authority—

- (a) enter any land which he has reason to believe it is necessary for him to enter and on entering any land take with him—
 - (i) any person duly authorised by the competent authority and, if he has reasonable cause to apprehend any serious obstruction in the execution of the powers conferred by this regulation, a constable; and
 - (ii) any equipment or materials required for any purpose for which the power of entry is being exercised;
- (b) make such examination and investigation as may in any circumstances be necessary;
- (c) remove any waste from the land, or arrange for its removal, for the purpose of its disposal or recovery;
- (d) dispose of or recover waste, or arrange for its disposal or recovery.

(7) An inspector or authorised person may exercise any of the powers set out in paragraph (6) above so far as is necessary to enable him to effect the disposal or recovery of the waste in order to fulfil the obligations of the competent authority under Article 26(3) and the consignee shall provide the inspector or authorised person and the competent authority with such information and assistance as the inspector or authorised person or the authority may reasonably request in writing to enable the competent authority to fulfil those obligations.

Power of customs officer to detain shipment

10.—(1) On a request made upon him by a competent authority of dispatch or destination in the United Kingdom for the purpose of facilitating the exercise of any functions conferred on it by the principal Regulation or these Regulations, a customs officer may detain, for not more than 3 working

days, waste specified in that request which has been imported into the United Kingdom or brought to a place for the purpose of being exported from the United Kingdom.

(2) Anything detained under this regulation shall be dealt with during the period of its detention in such manner as the Commissioners of Customs and Excise may direct.

(3) In this regulation and in regulation 12 below “customs officer” means any officer within the meaning of the Customs and Excise Management Act 1979⁽⁸⁾.

Objections to shipments of waste in accordance with a waste management plan made by the Secretary of State

11.—(1) The Secretary of State shall prepare a waste management plan (“the plan”) in accordance with Article 7 of Council Directive 75/442/EEC⁽⁹⁾ which shall contain his policies in relation to the import and export of waste for recovery or disposal into and out of the United Kingdom.

(2) Any provision in the plan relating to the prevention of imports or exports of waste for disposal shall be in accordance with the principles referred to in Article 4(3)(a)(i), but shall be subject to Article 4(3)(a)(ii) and (iii).

(3) For the purpose of preventing movements of waste which are not in accordance with the plan—

(a) a competent authority of destination shall, within the applicable time limit, object to any shipment of waste notified under Article 3(1) or 20(1), which the plan indicates should not be imported into the United Kingdom;

(b) a competent authority of dispatch shall, within the applicable time limit, object to any shipment of waste notified under Article 3(1) or 15(1), which the plan indicates should not be exported from the United Kingdom.

(4) In the case of shipments of waste to which Article 7(4) applies, competent authorities of destination and dispatch shall, within the applicable time limit, raise reasoned objections under the first indent of Article 7(4)(a) to prevent movements of waste which are not in accordance with the plan.

(5) It shall be the duty of the Secretary of State—

(a) to send a copy of the plan to each competent authority of dispatch and destination; and

(b) to make copies of the plan available to the public on payment of such reasonable charges as he thinks fit.

(6) Paragraph 4(1)(b) of Schedule 4 to the Waste Management Licensing Regulations 1994⁽¹⁰⁾ shall have effect as if the reference to any plan made under the plan-making provisions included a reference to a plan made under this regulation.

Offences

12.—(1) Any person who contravenes a provision of the principal Regulation in the United Kingdom so that waste is shipped in circumstances which are deemed to be illegal traffic under Article 26 commits an offence.

(2) Any person who transports, recovers, disposes of, or otherwise handles waste in the United Kingdom in contravention of a condition imposed under the principal Regulation on the shipment of waste commits an offence.

⁽⁸⁾ 1972 c. 68.

⁽⁹⁾ See the definition of “prescribed”.

⁽¹⁰⁾ 1989 c. 14.

(3) Any consignee who, in relation to waste shipped to the United Kingdom, fails to send a certificate of disposal or recovery pursuant to Article 5(6), 8(6) or 20(9) (as the case may be) within the time limit set out in the applicable Article, or sends a certificate which is false in a material particular, commits an offence.

(4) Any person who contravenes regulation 7 of these Regulations commits an offence.

(5) Any person who supplies information which is false in a material particular to a competent authority in the United Kingdom for the purpose of obtaining a certificate under regulation 7 of these Regulations commits an offence.

(6) Any person who, in the United Kingdom, mixes wastes which are the subject of different notifications during shipment contrary to Article 29 commits an offence.

(7) Any notifier who ships waste from the United Kingdom without having entered into a contract with the consignee in accordance with Article 3(6), 6(6) or 15(4) where required to do so by the principal Regulation commits an offence.

(8) Any notifier who ships waste from the United Kingdom which is required to be accompanied by the information set out in Article 11, signed as required by that article, and which is not so accompanied whilst in the United Kingdom, commits an offence.

(9) Any person who fails to comply with a notice served on him under regulation 8(2) or 9(2) of these Regulations commits an offence.

(10) Any person who intentionally obstructs an inspector or authorised person in the exercise of his powers under regulation 9 of these Regulations or a customs officer in the exercise of his powers under regulation 10 of these Regulations commits an offence.

(11) Where the commission by any person of an offence under this regulation is due to the act or default of some other person, that other person shall be guilty of the offence, and a person may be charged with and convicted of an offence by virtue of this paragraph whether or not proceedings are taken against the first-mentioned person.

Offences by corporations etc.

13.—(1) Where an offence under regulation 12 above which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any other person purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) above shall apply in relation to the acts or defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(3) Where, in Scotland, an offence under regulation 12 above which has been committed by a Scottish partnership or an unincorporated association (other than a partnership) is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, a partner in the partnership or, as the case may be, a person concerned in the management or control of the association, he, as well as the partnership or association, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Defences

14.—(1) In any proceedings for an offence under regulation 12 above it shall be a defence for the person charged to prove that he took all reasonable steps and exercised all due diligence to avoid the commission of the offence.

(2) In any proceedings for an offence under regulation 12(2)

above, it shall be a defence for the person charged to prove that he was not reasonably able to comply with the condition concerned by reason of an emergency.

(3) In any proceedings for an offence under regulation 12(3)

above on the grounds that the consignee has not sent a certificate of disposal or recovery (as the case may be) within the applicable time limit, it shall be a defence for the consignee to prove—

- (a) that he was not able to send the certificate within that time limit because he had not been able to dispose of or recover the waste in time as a result of an emergency; and
- (b) that he disposed of or recovered the waste as soon as was reasonably practicable or that he is taking all reasonable steps to ensure that the waste is disposed of or recovered as soon as is reasonably practicable.

Penalties

15.—(1) Subject to paragraph (2) below, a person who commits an offence under regulation 12 above shall be liable on summary conviction to a fine not exceeding—

- (a) in Great Britain, the statutory maximum;
- (b) in Northern Ireland, £2,000;

or on conviction on indictment to imprisonment for a term not exceeding two years, or a fine, or both.

(2) A person who commits an offence under paragraph (8)

of regulation 12 above shall be liable on summary conviction to a fine not exceeding—

- (a) in Great Britain, level 3 on the standard scale;
- (b) in Northern Ireland, £400.

Provision of information etc.

16. For the purpose of performing any of his functions under the principal Regulation the Secretary of State may, by notice in writing, require any competent authority in the United Kingdom to furnish such information and documents as may be specified in the notice.

Notices

17.—(1) Any notice which is authorised to be served on a notifier under regulation 8 above or on a consignee under regulation 9 above may be served on the person in question either by delivering it to him, or by leaving it at his proper address, or by sending it by post to him at that address.

(2) Any such notice may—

- (a) in the case of a body corporate, be served on the secretary or clerk of that body; and
- (b) in the case of a partnership, be served on a partner or a person having the control or management of that partnership business.

(3) For the purpose of this regulation and section 7 of the Interpretation Act 1978 (service of documents by post)(**11**) in its application to this regulation, the proper address of any person on whom a notice is to be served shall be the address given for him on the consignment note relating to the shipment of waste in connection with which the notice is to be served.

(11) 1990 c. 43.

Amendment of the Control of Pollution (Special Waste) Regulations 1980 and the Pollution Control (Special Waste) Regulations (Northern Ireland) 1981

18.—(1) For regulation 7 of the Control of Pollution (Special Waste) Regulations 1980⁽¹²⁾ there shall be substituted the following regulation—

“Importers and Exporters

7.—(1) Subject to paragraph (2)—

- (a) these Regulations shall apply to a person who imports special waste into Great Britain from Northern Ireland as they apply to a producer and as if the waste were produced at the place where it first enters Great Britain; and
- (b) regulation 6 shall apply to a person who exports special waste from Great Britain to Northern Ireland as it applies to a disposer.

(2) Regulations 4 to 12 and 17 shall not apply in relation to shipments of waste to which the provisions of Council Regulation (EEC) No. 259/93(c), other than Title III, apply.”

(2) In regulation 17 of the Control of Pollution (Special Waste) Regulations 1980 for “abroad” there shall be substituted “Northern Ireland”.

(3) For regulation 8 of the Pollution Control (Special Waste) Regulations (Northern Ireland) 1981⁽¹³⁾ there shall be substituted the following regulation—

“Importers and Exporters

8.—(1) Subject to paragraph (2)—

- (a) these Regulations shall apply to a person who imports special waste into Northern Ireland from Great Britain as they apply to a producer and as if the waste were produced at the place where it first enters Northern Ireland; and
- (b) regulation 7 shall apply to a person who exports special waste from Northern Ireland to Great Britain as it applies to a disposer.

(2) Regulations 5 to 13 and 18 shall not apply in relation to shipments of waste to which the provisions of Council Regulation (EEC) No. 259/93(e), other than Title III, apply.”

(4) In regulation 18 of the Pollution Control (Special Waste) Regulations (Northern Ireland) 1981 for “abroad”, there shall be substituted “Great Britain”.

Amendment of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 and the Waste Management Licensing Regulations 1994

19.—(1) At the end of Schedule 1 to the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991⁽¹⁴⁾, there shall be added the following paragraph—

“The Transfrontier Shipment of Waste Regulations 1994.”.

(2) In note 3 of the guidance notes in Part I of Schedule 2 to the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 and in note 3 of the guidance notes in Part II of that Schedule there shall be added the following paragraph—

“the Transfrontier Shipment of Waste Regulations 1994.”.

⁽¹²⁾ OJ No. L30, 6.2.1993, p.1.

⁽¹³⁾ 1972 c. 9 (N.I.).

⁽¹⁴⁾ 1990 c. 43.

(3) After paragraph (m) in regulation 3 of the Waste Management Licensing Regulations 1994⁽¹⁵⁾, there shall be added the following paragraph—

“(n) the Transfrontier Shipment of Waste Regulations 1994.”.

(4) In note 3 of the guidance notes in Part II of Schedule 5 to the Waste Management Licensing Regulations 1994 and in note 3 of the guidance notes in Part III of that Schedule there shall be added the following paragraph—

“the Transfrontier Shipment of Waste Regulations 1994.”.

Registration of dealers and brokers

20.—(1) The register established and maintained by a waste regulation authority pursuant to paragraph 12(5) of Part I of Schedule 4 to the Waste Management Licensing Regulations 1994 shall also be a register of establishments or undertakings registering with the authority under this regulation.

(2) 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 business.

(3) The waste regulation authority shall enter the relevant particulars in the register in relation to an establishment or undertaking which arranges (as dealer or broker) for the disposal or the recovery of waste if it becomes aware of them as a result of either—

- (a) that establishment or undertaking applying, before 1st January 1995, to the authority under paragraph 3 of Part I of Schedule 5 to the Waste Management Licensing Regulations 1994 to be registered as a broker of controlled waste; or
- (b) the authority being otherwise notified in writing before 1st January 1995 of those particulars.

(4) An establishment or undertaking registering under paragraph (3)(b) above shall register with the waste regulation authority in whose area its principal place of business in Great Britain is located or, where it has no place of business in Great Britain, with any waste regulation authority.

(5) In the case of an establishment or undertaking registered by virtue of paragraph (3)(a) above, its registration under this regulation shall have effect only for so long as its application to be registered as a broker of controlled waste is pending.

(6) In the case of an establishment or undertaking registered by virtue of paragraph (3)(b) above, its registration under this regulation shall cease to have effect on 1st January 1995 unless—

- (a) it has before that date applied to be registered as a broker of controlled waste; and
- (b) immediately before that date that application is pending,

in which event its registration under this regulation shall continue to have effect for so long as its application to be registered as a broker of controlled waste is pending.

(7) For the purposes of this regulation, paragraph 1(4)

and (5) of Part I of Schedule 5 to the Waste Management Licensing Regulations 1994 shall apply for the purpose of determining whether an application to be registered as a broker of controlled waste is pending.

(8) Where a registration under this regulation ceases to have effect, the waste regulation authority—

(15) 1979 c. 2.

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- (a) shall record this fact in the appropriate entry in its register and the date on which it occurred; and
- (b) may remove the appropriate entry from its register at any time more than three years after the registration ceases to have effect.

(9) In this regulation, “waste regulation authority” has the meaning given by section 30 of the Environmental Protection Act 1990(16).

Revocations

21.—(1) Subject to paragraph (2) below, the Transfrontier Shipment of Hazardous Waste Regulations 1988(17), the Control of Pollution (Special Waste) (Amendment) Regulations 1988(18) and the Transfrontier Shipment of Hazardous Waste Regulations (Northern Ireland) 1989(19) are hereby revoked.

(2) The Transfrontier Shipment of Hazardous Waste Regulations 1988 and the Transfrontier Shipment of Hazardous Waste Regulations (Northern Ireland) 1989 shall continue to apply in relation to shipments of waste effected before 6th November 1994 under an acknowledgement of receipt issued under Articles 4 and 5 of Council Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste(20) before these Regulations come into force.

Department of the Environment
22nd April 1994

John Gummer
One of Her Majesty's Principal Secretaries of
State

(16) OJ No. L194, 25.7.1975, p.47; the Directive was amended by Council Directive 91/156/EEC, OJ No. L78, 26.3.91, p.32 and by Council Directive 91/692/EEC, OJ No. L377, 31.12.91, p.48.

(17) S.I. 1994/1056.

(18) 1978 c. 30.

(19) S.I. 1980/1709; regulation 7 was substituted by regulation 3 of the Control of Pollution (Special Waste) (Amendment) Regulations 1988 (S.I. 1988/1790).

(20) OJ No. L30, 6.2.1993, p.1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community and for the purpose of implementing Council Directive 75/442/EEC (as amended) (“the Waste Framework Directive”) in respect of imports and exports of waste.

The Council Regulation provides for a system of prior notification and authorization where a person intends to ship waste within, into or out of the Community. The Council Regulation requires member States to deal with a number of matters by means of their domestic legislation in relation to the operation of the new system. These Regulations deal with those matters in the United Kingdom; in particular—

- (a) designate the authorities which are to be the competent authorities and the correspondent in the United Kingdom under the new system (regulations 3, 4 and 5);
- (b) enable a competent authority of dispatch to require notifications of shipments of waste from their area to be routed through the authority rather than being sent to competent authorities by the notifier (regulation 6);
- (c) require a certificate relating to financial guarantees and insurance to be obtained prior to shipments of waste entering or leaving the United Kingdom (regulation 7);
- (d) confer powers on competent authorities to ensure that waste is returned to the United Kingdom or is recovered or disposed of where the authority is under an obligation to secure the return, recovery or disposal of the waste in accordance with the Council Regulation (regulations 8 and 9);
- (e) confer powers on customs officers to detain shipments of waste to facilitate the exercise by the competent authorities of their functions under the Council Regulation (regulation 10);
- (f) provide for the preparation of a waste management plan by the Secretary of State in accordance with the Waste Framework Directive and require competent authorities of dispatch and destination to object to shipments of waste in accordance with the plan (regulation 11);
- (g) set out offences and penalties in relation to non-compliance with the Council Regulation or United Kingdom Regulations (regulations 12 to 15);
- (h) confer power on the Secretary of State to require competent authorities to provide information to enable him to fulfil his functions under the Council Regulation (regulation 16);
- (i) set out how certain notices given under the United Kingdom Regulations may be served (regulation 17);
- (j) amend the Control of Pollution (Special Waste) Regulations 1980 and the Pollution Control (Special Waste) Regulations (Northern Ireland) 1981 to avoid an overlap between the control system under those Regulations and the new system under the Council Regulation (regulation 18);
- (k) amend the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 and the Waste Management Licensing Regulations 1994 to make the offences under regulation 12 prescribed offences under the 1991 Regulations and relevant offences under the 1994 Regulations (regulation 19);

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- (l) provide a transitional registration system for dealers and brokers to enable them to act as notifiers under the Council Regulation (regulation 20);
- (m) revoke certain provisions which will be superseded on the coming into force of the new system (regulation 21).