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STATUTORY INSTRUMENTS

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**1996 No. 972**

**The Special Waste Regulations 1996**

**Transitional provisions for certificates of technical competence**

**20.**—(1) This regulation applies in relation to—

- (a) waste defined as special waste under regulation 2 of these Regulations which was not so defined under regulation 2 of the Control of Pollution (Special Waste) Regulations 1980<sup>(1)</sup> (“waste now defined as special waste”); and
- (b) persons to be treated as technically competent for the purposes of section 74(3)(b) of the 1990 Act—
  - (i) pursuant to regulation 4 of the 1994 Regulations; or
  - (ii) pursuant to regulation 5 of the 1994 Regulations, or to regulation 4(1) or (3) of the Waste Management Licensing (Amendment etc.) Regulations 1995<sup>(2)</sup>.

(2) For the purposes only of operations concerning waste now defined as special waste and provided that both the conditions set out in paragraph (3) are satisfied, the persons referred to in paragraph (1)(b) shall continue to be treated as technically competent—

- (a) in the case of those referred to in paragraph (1)(b)(i), until 10th August 2000; and
  - (b) in the case of those referred to in paragraph (1)(b)(ii), in accordance with the Regulations mentioned there, except that paragraph (1) of regulation 5 of the 1994 Regulations and paragraphs (1) and (4) of regulation 4 of the Waste Management Licensing (Amendment etc.) Regulations 1995 shall have effect as if for the date “10th August 1999” there were substituted the date “10th August 2000”.
- (3) The conditions referred to in paragraph (2) are that:
- (a) before 1st March 1997, the person applies to the Waste Management Industry Training and Advisory Board for a certificate of technical competence at Level 4 in respect of special waste; and
  - (b) before 1st September 1996, the person was entitled to act as the manager of a facility in respect of which there was in force a waste management licence authorising activities concerning waste now defined as special waste.

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<sup>(1)</sup> S.I. 1980/1709, amended by S.I. 1988/1790.

<sup>(2)</sup> S.I. 1995/288, amended by S.I. 1995/1950. Paragraph (3) of regulation 4 is subject to paragraphs (4) and (5), the latter being inserted by regulation 3 of S.I. 1995/1950 and amended by regulation 3 of S.I. 1996/634.