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STATUTORY INSTRUMENTS

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**2005 No. 894**

**The Hazardous Waste (England and Wales) Regulations 2005**

**PART 11**

REPLACEMENT OF CONTROLS ON SPECIAL WASTE

**Definition of Hazardous Waste**

74. In section 75 of the 1990 Act (meaning of “waste” and household, commercial and industrial waste and special waste)—

- (a) in the heading for “special waste” there shall be substituted “hazardous waste”;
- (b) after subsection (8) there shall be inserted—

“(8A) “Hazardous waste”—

- (a) in the application of this Part to England, means any waste which is a hazardous waste for the purposes of the Hazardous Waste (England and Wales) Regulations 2005;
- (b) in the application of this Part to Wales means—
  - (i) any waste listed as a hazardous waste in the Hazardous Waste List;
  - (ii) any waste listed in regulations made under section 62A(2) above;
  - (iii) any other waste which displays any of the properties listed in Annex III to Council Directive [91/689/EEC](#).

(8B) In subsection (8A) “Hazardous Waste List” means the list referred to in the first indent of Article 1(4) of Council Directive [91/689/EEC](#).”; and

- (c) subsection (9) shall be omitted.

**Changes to legislation:**

There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, Section 74.