

SCHEDULE 11

Regulation 77

CONSEQUENTIAL AMENDMENTS

**PART 1**

AMENDMENTS TO PRIMARY LEGISLATION

*The Waste and Emissions Trading Act 2003*

1. The Waste and Emissions Trading Act 2003 <sup>M1</sup> is amended as follows.

**Marginal Citations**

**M1** 2003 c. 33.

2. In section 25(2), for “for the purpose of Council Directive 91/689/EEC” substitute “ within the meaning of regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005. ”.

**PART 2**

AMENDMENTS TO SECONDARY LEGISLATION

*The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991*

<sup>F1</sup>3. ....

**Textual Amendments**

**F1** Sch. 11 paras. 3-6 omitted (29.3.2011) by virtue of *The Waste (England and Wales) Regulations 2011* (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

<sup>F1</sup>4. ....

**Textual Amendments**

**F1** Sch. 11 paras. 3-6 omitted (29.3.2011) by virtue of *The Waste (England and Wales) Regulations 2011* (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

*The Environmental Protection (Duty of Care) Regulations 1991*

<sup>F1</sup>5. ....

**Textual Amendments**

**F1** Sch. 11 paras. 3-6 omitted (29.3.2011) by virtue of *The Waste (England and Wales) Regulations 2011* (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

<sup>F1</sup>6. ....

.....

**Textual Amendments**

**F1** Sch. 11 paras. 3-6 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011 \(S.I. 2011/988\)](#), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

*The Environmental Protection (Prescribed Processes and Substances) Regulations 1991*

7. The Environmental Protection (Prescribed Processes and Substances) Regulations 1991 <sup>M2</sup> are amended as follows.

.....

**Marginal Citations**

**M2** [S.I. 1991/472](#); relevant amendments are contained in [S.I.1998/767](#).

8. In Section 5.1 of Chapter 5 of Schedule 1—
- (a) in the definition of “exempt hazardous waste incineration plant”—
    - (i) in paragraph (ii) for “Annex II to Directive [91/689/EEC](#) on hazardous waste” substitute “ Schedule 2 of the Hazardous Waste (England and Wales) Regulations 2005 ”;
    - (ii) in paragraph (iii) for “Annex III to Directive [91/689/EEC](#) on hazardous waste” substitute “ Schedule 3 of the Hazardous Waste (England and Wales) Regulations 2005 ”;
  - (b) in the definition of “hazardous waste”—
    - (i) in the opening words, for “Article 1(4) of Directive [91/689/EEC](#)” substitute “ regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005 ”; and
    - (ii) in sub-paragraph (i)(b) and paragraph (v), for “in Annex II to Directive [91/689/EEC](#)” substitute “ in Schedule 2 to the Hazardous Waste (England and Wales) Regulations 2005 ”.

*Waste Management Licensing Regulations 1994*

<sup>F2</sup>9. ....

.....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011 \(S.I. 2011/988\)](#), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

<sup>F2</sup>10. ....

.....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011 \(S.I. 2011/988\)](#), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

<sup>F2</sup>11. ....

**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**12. ....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**13. ....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**14. ....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**15. ....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**16. ....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**17. ....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F2**18. ....

**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011](#) (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F<sup>2</sup>19.** .....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011](#) (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F<sup>2</sup>20.** .....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011](#) (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F<sup>2</sup>21.** .....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011](#) (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F<sup>2</sup>22.** .....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011](#) (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F<sup>2</sup>23.** .....

**Textual Amendments**

**F2** Sch. 11 paras. 9-23 omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011](#) (S.I. 2011/988), reg. 1(2), **Sch. 2 para. 33** (with regs. 2, 47(2))

**F<sup>3</sup>24.** .....

*Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999*

**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

**Textual Amendments**

**F3** Sch. 11 para. 25 revoked (1.3.2016) by The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (S.I. 2016/58), reg. 1(2), **Sch. 8** (with regs. 59, 60(2))

**F3** 25. ....

**Textual Amendments**

**F3** Sch. 11 para. 25 revoked (1.3.2016) by The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (S.I. 2016/58), reg. 1(2), **Sch. 8** (with regs. 59, 60(2))

*Environmental Protection (Disposal of Polychlorinated Biphenyls and Dangerous Substances) (England and Wales) Regulations 2000*

**26.** The Environmental Protection (Disposal of Polychlorinated Biphenyls and Dangerous Substances) (England and Wales) Regulations 2000 <sup>M3</sup> are amended as follows.

**Marginal Citations**

**M3** S.I. 2000/1043, to which there are amendments not relevant to these Regulations.

**27.** For regulation 11(3), substitute the following—

“(3) Subject to paragraphs (5) and (7), the Agency shall keep a register specifying the quantity, origin, nature and PCB content of used PCBs in respect of which—

- (a) copies of consignment notes specifying that information are furnished to it under regulations 5(4), 8(7) or 9(3) of the Special Waste Regulations 1996; or
- (b) quarterly returns specifying that information are furnished to it under regulation 53 of the Hazardous Waste (England and Wales) Regulations 2005,

and which in either case have been furnished by a person in the course of a business concerned with the disposal of PCBs.”

*Pollution Prevention and Control (England and Wales) Regulations 2000*

**28.** The Pollution Prevention and Control (England and Wales) Regulations 2000 <sup>M4</sup> (which extend to England and Wales) are amended as follows.

**Marginal Citations**

**M4** S.I. 2000/1973; relevant amendments have been made by S.I.2002/2980.

**29.** In Chapter 5 of Schedule 1—

(a) in the definition of hazardous waste in the paragraph headed “Interpretation of Section 5.1” of Section 5.1—

- (i) in the opening words for “Article 1(4) of Directive 91/689/EEC on hazardous waste” substitute “ regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005 ”; and

**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

- (ii) in paragraph (a)(ii) for “Annex II to Directive [91/689/EEC](#) on hazardous waste” substitute “ Schedule 2 of the Hazardous Waste (England and Wales) Regulations 2005 ”;
- (b) in paragraph 1 of the paragraph headed “Interpretation of Part A(1)” of Section 5.3 for the definition of “hazardous waste”, substitute “ “ hazardous wasteÇ means any waste as defined for the time being in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005. ”; and
- (c) in the paragraph headed çInterpretation of Part A(1)Ç of Section 5.4 insert the following after paragraph 3—
  - “4. In this Part, hazardous waste means any waste as defined in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005.”.

*Chemicals (Hazard Information and Packaging for Supply) Regulations 2002*

**30.** The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 <sup>M5</sup> are amended as follows.

.....

**Marginal Citations**

**M5** [S.I. 2002/1689](#), to which there are amendments not relevant to these Regulations.

**31.** In regulation 3(3)(e), for “Special Waste Regulations 1996” substitute “ Hazardous Waste (England and Wales) Regulations 2005 ”.

*Landfill (England and Wales) Regulations 2002*

**32.** The Landfill (England and Wales) Regulations 2002 <sup>M6</sup> are amended as follows.

.....

**Marginal Citations**

**M6** [S.I. 2002/1959](#); as amended by [S.I. 2004/1375](#).

**33.** In Regulation 7(2) for “Hazardous waste means any waste as defined in Article 1(4) of Directive [91/689/EEC](#) (hazardous waste).” substitute “ Hazardous waste means any waste as defined in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005. ”.

**34.** For paragraph 2(a) of Schedule 1, substitute “ (a) it is a hazardous waste as defined in the Hazardous Waste (England and Wales) Regulations 2005; and ”.

**35.** For paragraph 3(1)(a) of Schedule 1, substitute “ (a) it is a hazardous waste as defined in the Hazardous Waste (England and Wales) Regulations 2005; and ”

**36.** For paragraph 3(1)(b) of Schedule 1, substitute “ (b) it is a non-hazardous waste as defined in the Hazardous Waste (England and Wales) Regulations 2005. ”.

**37.** For paragraph 5(1)(g) of Schedule 1, substitute—

“(g) in the case of hazardous waste, the relevant properties which render it hazardous as listed in Schedule 3 of the Hazardous Waste (England and Wales) Regulations 2005;”.

*Packaging (Essential Requirements) Regulations 2003*

<sup>F4</sup>**38.** .....

**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

.....  
**Textual Amendments**

**F4** Sch. 11 para. 39 revoked (1.10.2015) by The Packaging (Essential Requirements) Regulations 2015 (S.I. 2015/1640), reg. 1, **Sch. 6** (with reg. 3(5))

**F<sup>4</sup>39.** .....

.....  
**Textual Amendments**

**F4** Sch. 11 para. 39 revoked (1.10.2015) by The Packaging (Essential Requirements) Regulations 2015 (S.I. 2015/1640), reg. 1, **Sch. 6** (with reg. 3(5))

**Changes to legislation:**

There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, SCHEDULE 11.