

STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 11

Final provisions

Registration: reduction of administrative burden

- 46.**—(1) This regulation applies to the [^{F1}appropriate body] in relation to registration of—
- (a) carriers and brokers of, and dealers in, controlled waste (see Part 8); and
 - (b) establishments and undertakings carrying on exempt waste operations under Schedule 2 to [^{F2}the Environmental Permitting (England and Wales) Regulations 2016].
- (2) The Environment Agency must, where possible, use existing records held by it to obtain information for the registration process in order to reduce the administrative burden.

Textual Amendments

- F1** Words in reg. 46 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 4 para. 409** (with Sch. 7)
- F2** Words in reg. 46(1)(b) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 36(4)** (with regs. 1(3), 77-79, Sch. 4)

Radioactive waste

- 47.**—[^{F3}(1) This regulation applies to radioactive waste—
- (a) which is a specified waste; and
 - (b) in respect of which a person—
 - (i) is carrying on a radioactive substances activity described in paragraph 11(2)(b) or (c) or (4) of Part 2 of Schedule 23 to [^{F4}the Environmental Permitting (England and Wales) Regulations 2016]; and
 - (ii) is exempt from the requirement for an environmental permit under regulation 12(3) of those Regulations for that activity.]
- (2) Radioactive waste to which this regulation applies must be treated as waste for the purposes of these Regulations.
- (3) Sections 33 to 34C of the Environmental Protection Act 1990 apply to radioactive waste to which this regulation applies.
- (4) In this regulation—
- “environmental permit” has the meaning given in regulation 13(1) of [^{F5}the Environmental Permitting (England and Wales) Regulations 2016];

[^{F6}“radioactive substances exemption” means an exemption under [^{F5}Part 6] of Schedule 23 to [^{F5}the Environmental Permitting (England and Wales) Regulations 2016] from the requirement for an environmental permit under regulation 12 of those regulations in respect of a radioactive substances activity;]

“radioactive waste” and “radioactive substances activity” have the meanings given in [^{F7}paragraphs 3 and 11] of Part 2 of Schedule 23 to [^{F5}the Environmental Permitting (England and Wales) Regulations 2016];

^{F8} ...

[^{F6}“specified waste” means—

- (a) NORM waste (as that term is defined in [^{F5}Part 6] of Schedule 23 to [^{F5}the Environmental Permitting (England and Wales) Regulations 2016]; or
- (b) the waste described in the first, second or sixth row of column 1 of table 6 in [^{F5}Part 6] of Schedule 23 to [^{F5}the Environmental Permitting (England and Wales) Regulations 2016].]

Textual Amendments

- F3** Reg. 47(1) substituted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), reg. 1(b), **Sch. 2 para. 6(2)**
- F4** Words in reg. 47(1)(b)(i) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 36(5)(a)** (with regs. 1(3), 77-79, Sch. 4)
- F5** Words in reg. 47(4) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 36(5)(a)(b)** (with regs. 1(3), 77-79, Sch. 4)
- F6** Words in reg. 47(4) inserted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), reg. 1(b), **Sch. 2 para. 6(3)(c)**
- F7** Words in reg. 47(4) substituted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), reg. 1(b), **Sch. 2 para. 6(3)(a)**
- F8** Words in reg. 47(4) omitted (1.10.2011) by virtue of [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), reg. 1(b), **Sch. 2 para. 6(3)(b)**

Amendments and revocations

48.—(1) Schedule 2 (amendments to the Hazardous Waste (England and Wales) Regulations 2005) has effect.

(2) Schedule 3 (amendments to the Environmental Permitting (England and Wales) Regulations 2010) has effect.

(3) Schedule 4 (amendments to other legislation) has effect.

(4) Schedule 5 (revocations) has effect.

[^{F9}Review

49.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations in relation to England;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Waste Framework Directive (which is implemented in part by means of these Regulations) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of 5 years beginning with 1st October 2012.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding 5 years.]

Textual Amendments

- F9** Reg. 49 inserted (1.10.2012) by [The Waste \(England and Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/1889\)](#), regs. 1(2), **2(5)**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste (England and Wales) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 13(1A) inserted by [S.I. 2023/1290 reg. 11](#)
- reg. 14(A1) inserted by [S.I. 2023/1290 reg. 12](#)
- reg. 15A inserted by [S.I. 2023/1290 reg. 13](#)
- reg. 16(3)(ba) substituted for reg. 16(3)(b) by [2023 c. 55 Sch. 8 para. 32](#)