
STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 7

Deposits in the sea

Interpretation

- 21.** In this Part, “offshore licensing functions” means—
- (a) functions under Part 2 of the Food and Environment Protection Act 1985 ^{M1};
 - (b) functions under Part 4 of the Marine and Coastal Access Act 2009 ^{M2},
- other than functions which must be exercised by statutory instrument.

Marginal Citations

- M1** 1985 c. 48.
M2 2009 c. 23.

Exercise of offshore licensing functions

- 22.** An appropriate authority must exercise its offshore licensing functions—
- (a) so far as material, for the purposes of implementing the waste management plans;
 - (b) for the purposes of ensuring that—
 - (i) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste; and
 - (ii) waste generated by the disposal or recovery of waste is treated in accordance with Article 4 of the Waste Framework Directive;
 - (c) for the purposes of implementing Article 13 of the Waste Framework Directive;
 - (d) so as to ensure that the requirements in the second paragraph of Article 23(1) of the Waste Framework Directive are met; and
 - (e) so as to ensure compliance with the following Articles of the Waste Framework Directive—
 - (i) Article 18(2)(b) and (c),
 - (ii) Article 23(3) and (4),
 - (iii) Article 35(1).

Inspections

- 23.—**(1) This regulation applies where an appropriate authority has offshore licensing functions in relation to establishments or undertakings carrying on disposal or recovery of waste.

Changes to legislation: *The Waste (England and Wales) Regulations 2011, PART 7 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) The appropriate authority must ensure that appropriate periodic inspections of those establishments or undertakings are made ^{M3}.

Marginal Citations

M3 Section 11 of the [Food and Environment Protection Act 1985 \(c. 48\)](#) and sections 246 to 248 of the [Marine and Coastal Access Act 2009 \(c. 23\)](#) provide for powers relevant to inspection.

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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](#)