

---

STATUTORY INSTRUMENTS

---

**2018 No. 369**

**The Waste Enforcement (England and Wales) Regulations 2018**

**Transitional provision**

4.—(1) Until regulation 2 comes into force, section 109D of the Environment Act 1995, as inserted by Schedule 2 to these Regulations, has effect as if the references in that section to sections 59ZB and 59ZC of the Environmental Protection Act 1990 were omitted.

(2) The amendments made by regulation 2 do not apply where the deposit in or on any land of controlled waste or extractive waste, which is subsequently kept or disposed of in contravention of section 33(1) of the Environmental Protection Act 1990<sup>(1)</sup> or regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016<sup>(2)</sup>, occurs before the coming into force of regulation 2.

(3) In paragraph (2), “controlled waste” and “extractive waste” have the same meaning as in the Environmental Protection Act 1990<sup>(3)</sup>.

---

(1) Section 33(1) was amended by S.I. 2007/3538 and 2009/1799.

(2) S.I. 2016/1154.

(3) The definition of “controlled waste” is given in section 75(4). Section 29(13) gives “extractive waste” the same meaning as in S.I. 2016/1154 (see regulation 2).