
STATUTORY INSTRUMENTS

2020 No. 904

The Waste (Circular Economy) (Amendment) Regulations 2020

PART 2

Amendments to primary legislation

Town and Country Planning Act 1990

2. In the Town and Country Planning Act 1990(1), in section 336(1), in the definition of “waste”, in paragraph (a), for “Council Regulation (EU) 2017/997”, substitute “Directive (EU) 2018/851(2)”.

Environmental Protection Act 1990

3. In the Environmental Protection Act 1990(3), in section 75(1A), for “Council Regulation (EU) 2017/997”, substitute “Directive (EU) 2018/851”.

Environment Act 1995

4. In the Environment Act 1995(4), in section 56(1), in paragraph (h) of the definition of “environmental licence” as it extends to England and Wales, for “Council Regulation (EU) 2017/1997”, substitute “Directive (EU) 2018/851”.

Waste and Emissions Trading Act 2003

5.—(1) The Waste and Emissions Trading Act 2003(5) is amended as follows.

(2) For section 21(3), substitute—

“(3) In this section “municipal waste” means—

- (a) mixed waste and separately collected waste from households, including paper and cardboard, glass, metals, plastics, bio-waste, wood, textiles, packaging, waste electrical and electronic equipment, waste batteries and accumulators, and bulky waste, including mattresses and furniture; and

(1) 1990 c.8; the definition of waste in section 336(1) was substituted by [S.I. 2011/988](#) and was amended by [S.I. 2018/1232](#).
(2) OJ No L 150, 14.6.2018, p. 109.
(3) 1990 c.43; section 75(1A) was inserted by [S.I. 2019/620](#).
(4) 1995 c.25. Section 41(1)(c) was substituted in relation to England by [S.I. 2005/894](#) and in relation to Wales by [S.I. 2005/1806 \(W. 138\)](#), and was amended by [S.I. 2011/988](#), [2013/755 \(W.90\)](#) and [2018/942](#) and is prospectively repealed from IP completion day by [S.I. 2019/458](#). Section 41(1)(g) was inserted in relation to England, Wales and Scotland by [S.I. 2009/890](#) and was amended by [S.I. 2011/2911](#) and [2013/755 \(W. 90\)](#) and is prospectively amended from IP completion day by [S.I. 2019/458](#). In section 56(1), paragraph (h) of the definition of “environmental licence” as it extends to England and Wales was substituted by [S.I. 2011/988](#) and was amended by [S.I. 2019/526](#) and is prospectively amended from IP completion day by [S.I. 2019/458](#).
(5) 2003 c.33. Section 21(3) was amended by [S.I. 2011/2499](#). Section 37, as it extends to England and Wales, was substituted by [S.I. 2011/988](#) and was amended by [S.I. 2019/620](#). Section 37, as it extends to Scotland, was substituted by [S.S.I. 2011/226](#) and was amended by [S.I. 2019/620](#). Section 37, as it extends to Northern Ireland, was substituted by [S.I. 2019/620](#). Section 37, as it extends to England and Wales and Scotland and Northern Ireland, is prospectively amended from IP completion day by [S.I. 2019/620](#).

(b) mixed waste and separately collected waste from other sources, where such waste is similar in nature and composition to waste from households.

(3A) But municipal waste does not include waste from production, agriculture, forestry, fishing, septic tanks and sewage network and treatment, including sewage sludge, end-of-life vehicles or waste generated by construction and demolition activities.”.

(3) In section 37—

(a) as it extends to England and Wales and Northern Ireland—

(i) in the heading, after “waste”, insert “, recovery and disposal”;

(ii) after subsection (1) insert—

“(1A) In this Part, “recovery” and “disposal” have the same meanings as in the Waste Directive.”;

(iii) in subsection (2), for “Council Regulation (EU) 2017/997”, substitute “Directive (EU) 2018/851”;

(b) as it extends to Scotland—

(i) in the heading, after “waste”, insert “, recovery and disposal”;

(ii) after subsection (1) insert—

“(1A) In this Part, “recovery” and “disposal” have the same meanings as in the Waste Directive.”;

(iii) in subsection (2), for “Council Regulation (EU) 2017/997”, substitute “Directive (EU) 2018/851”.

Marine and Coastal Access Act 2009

6. In the Marine and Coastal Access Act 2009(6), in section 75(5), for “Council Regulation (EU) 2017/997”, substitute “Directive (EU) 2018/851”.