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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 40 (C. 2)**

**ENVIRONMENTAL PROTECTION**

**The Waste and Contaminated Land (1997 Order)  
(Commencement No. 5) Order (Northern Ireland) 2001**

*Made - - - - 31st January 2001*

The Minister of the Environment, in exercise of the powers conferred on him by Article 1(2) of the Waste and Contaminated Land (Northern Ireland) Order 1997<sup>(1)</sup> and of every other power enabling him in that behalf, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Waste and Contaminated Land (1997 Order) (Commencement No. 5) Order (Northern Ireland) 2001.

**Appointed Day**

2. The appointed day for the coming into operation of the following provisions of the Waste and Contaminated Land (Northern Ireland) Order 1997 is 1st March 2001.

Article 2(2) (in so far as it relates to the definitions of “mobile plant”, “special waste”, “vehicle” and “vessel”),

Article 4(1)(c), (2) (in so far as it relates to Article 4(1)(c)), (3), (4) and (6) to (9) (in so far as they relate to Article 4(1)(c)),

Article 47(1) (in so far as it relates to “existing resolution of a district council”) and (3),  
Articles 72 to 74,

Article 75 (in so far as it relates to Article 39),

Schedule 4,

Paragraph 7 of Schedule 5 and Article 83(1) (in so far as it relates to it).

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(1) [S.I. 1997/2778 \(N.I. 19\)](#) and section 95 of and paragraph 11(2) of Schedule 12 to the Northern Ireland Act [1998 c. 47](#)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Dated this 31st day of January 2001.

L.S.

*Sam Foster*  
Minister of the Environment

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## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order brings into operation on 1st March 2001 certain provisions of the Waste and Contaminated Land (Northern Ireland) Order 1997 (“the Order”) enabling the Department of the Environment to make regulations which deal specifically with the treatment of controlled substances of certain descriptions which fall within specific defined categories, and prescribing cases where district councils may charge for the collection of household waste.

This Order also brings into operation the provisions of Articles 72-74 and Schedule 4 to the Order, which contain certain powers of entry and other powers of enforcing authorities and other authorised persons exercising pollution control functions, together with associated offences in connection with the exercise of these powers.

Article 75 is being introduced in relation to the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order.)*

The following provisions of the Waste and Contaminated Land (Northern Ireland) Order 1997 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 1	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 2(1), (2) (partially), (3), (7) and (8)	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 2(2) (partially) and (6)	1st December 1998	<a href="#">S.R. 1998 No. 390 (C. 18)</a>
Article 2(2) (partially)	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 2(2) (partially)	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Article 3(3)(a) and 3(6) (both paragraphs for the purposes of Article 40(5))	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 5 (in so far as it relates to the definition of “broker”)	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 19	1st December 1998	<a href="#">S.R. 1998 No. 390 (C. 18)</a>
Articles 20 to 23	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Articles 25 and 26	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Article 29	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Article 30	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 32	1st December 1998	<a href="#">S.R. 1998 No. 390 (C. 18)</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 33	1st December 1998	<a href="#">S.R. 1998 No. 390 (C. 18)</a>
Articles 34 and 35 (both Articles for the purposes of Article 39(7))	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 38(1), (2), (4),(5) and (6)	11th March 2000	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 38(3)	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Articles 39 to 41	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 42(1) to (7)	11th March 2000	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 42(8)	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 43 (partially)	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Article 44 (in so far as it relates to the Department)	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 44 (to the extent that it is not already in operation)	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Article 45(1), (2) and (3)	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Articles 46 and 47(1) (in so far as it relates to “existing disposal plans”) and (4)	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Article 48	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 76	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Article 77	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>
Articles 78 to 82	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Schedule 1	1st December 1998	<a href="#">S.R. 1998 No. 390 (C. 18)</a>
Schedule 2 (partially)	19th August 1999	<a href="#">S.R. 1999 No. 325 (C. 24)</a>
Schedule 3	1st December 1998	<a href="#">S.R. 1998 No. 390 (C. 18)</a>
Paragraph 4 of Schedule 5 and Article 83(1) (in so far as it relates to it)	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Schedule 6 (partially) and Article 83(2) (partially)	17th September 1998	<a href="#">S.R. 1998 No. 288 (C. 11)</a>
Schedule 6 (partially) and Article 83(2) (partially)	6th October 1999	<a href="#">S.R. 1999 No. 373 (C. 29)</a>