

SCHEDULE 11

CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS TO SECONDARY LEGISLATION

Waste Management Licensing Regulations 1994

9. The 1994 Regulations are amended as follows.
10. In regulation 1(3), for the definition of “special waste”, substitute ““hazardous waste” has the meaning given by regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005”.
11. In regulation 3, at the end add “(q) the Hazardous Waste (England and Wales) Regulations 2005”.
12. In regulation 10(1)(j) for “special waste” substitute “hazardous waste”.
13. In regulation 10(1)(k) at the end insert “or regulation 47(5) or 48(6) of the Hazardous Waste (England and Wales) Regulations 2005”.
14. In regulation 14(1) and 14(2), for “toxic and dangerous” substitute “hazardous waste”, and in regulation 14(3) for the definition of “toxic and dangerous waste” substitute ““hazardous waste” has the meaning given by regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005.”.
15. In regulation 17(3) and 17(3A) for “special waste” substitute “hazardous waste”.
16. In paragraph 5 of Schedule 1, for subparagraph (d) to the end of paragraph 5, substitute—
 - “(d) every record made relating to the site pursuant to regulation 14 of the Control of Pollution (Special Waste) Regulations 1980, regulation 16 of the 1996 Regulations, or regulation 0 of the Hazardous Waste (England and Wales) Regulations 2005; and any estimate under paragraph 4 of the total quantities of the different types of waste dealt with at the site, shall, in particular, differentiate between biodegradable waste, non-biodegradable waste and hazardous waste.”.
17. In paragraph 2(1) of Schedule 1A, for the definition of hazardous waste substitute ““hazardous waste” means such waste as defined in Regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005.”
18. In schedule 3, in paragraphs 3(a)(ii), 3(c), 18(2)(b), 28, 36(1), 36(2), 38, 39(1), 39(2), 41(2), and in tables 4, 4A and 4B, on each occasion that it appears, for “special waste” substitute “hazardous waste”.
19. In paragraph 9 of Schedule 4, omit subparagraphs (9) and (10).
20. In paragraph 13(1) of Schedule 4 delete “, and producers of special waste,”.
21. In paragraphs 14(1)(b) and 14(1A) of Schedule 4 for “special waste” substitute “hazardous waste”.
22. For paragraph 14(5) of Schedule 4, substitute—
 - “(2) Paragraph (a) of regulation 66 of the Hazardous Waste (England and Wales) Regulations 2005 (defence in case of emergency) shall apply to a person charged with an offence under paragraph (4) above as it applies to a person charged with an offence under regulation 65 of those Regulations.”.

Status: This is the original version (as it was originally made).

23. For paragraph 14(8) of Schedule 4, substitute—

“(8) Regulations 67 and 69(2) of the Hazardous Waste (England and Wales) Regulations 2005 shall apply to an offence under this paragraph as they apply to an offence under regulation 65 of those Regulations.”.