
STATUTORY INSTRUMENTS

2012 No. 1889

The Waste (England and Wales) (Amendment) Regulations 2012

Amendment of the Waste (England and Wales) Regulations 2011

- 2.—(1) The Waste (England and Wales) Regulations 2011(1) are amended as follows.
(2) For regulation 13 substitute—

“Duties in relation to collection of waste

- 13.—(1) This regulation applies from 1st January 2015.
(2) Subject to paragraph (4), an establishment or undertaking which collects waste paper, metal, plastic or glass must do so by way of separate collection.
(3) Subject to paragraph (4), every waste collection authority must, when making arrangements for the collection of waste paper, metal, plastic or glass, ensure that those arrangements are by way of separate collection.
(4) The duties in this regulation apply where separate collection—
(a) is necessary to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery; and
(b) is technically, environmentally and economically practicable.”.
(3) In regulation 14, for paragraph (2) substitute—
“2) This duty applies where keeping waste separate is necessary to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery.”.
(4) In regulations 38(2) (compliance notices), 39(2) (stop notices) and 42(3) (penalties), for “13(1)” substitute “13(2)”.
(5) After regulation 48, insert—

“Review

- 49.—(1) The Secretary of State must from time to time—
(a) carry out a review of these Regulations in relation to England;
(b) set out the conclusions of the review in a report; and
(c) publish the report.
(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Waste Framework Directive (which is implemented in part by means of these Regulations) is implemented in other member States.
(3) The report must in particular—

(1) [S.I. 2011/988](#), to which there are amendments not relevant to this instrument.

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
 - (b) assess the extent to which those objectives are achieved; and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (4) The first report under this regulation must be published before the end of the period of 5 years beginning with 1st October 2012.
- (5) Reports under this regulation are afterwards to be published at intervals not exceeding 5 years.”.