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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 52**

**EUROPEAN COMMUNITIES  
PUBLIC HEALTH**

**The Waste Collection and Disposal (Amendment)  
Regulations (Northern Ireland) 1997**

*Made* - - - - *7th February 1997*

*Coming into operation* *14th March 1997*

The Department of the Environment, being a department designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures relating to the prevention, reduction and elimination of pollution caused by waste, in exercise of the powers conferred on it by that section and Articles 5(1) and 86(2) of the Pollution Control and Local Government (Northern Ireland) Order 1978<sup>(3)</sup> and of every other power enabling it in that behalf, hereby makes the following regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Waste Collection and Disposal (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 14th March 1997.

(2) In these Regulations, “exempt activity” is a case in which a disposal licence is not required by virtue of paragraph 16A or 23 of Schedule 6 to the Waste Collection and Disposal Regulations (Northern Ireland) 1992<sup>(4)</sup>.

**Amendment of the Waste Collection and Disposal Regulations (Northern Ireland) 1992**

2.—(1) The Waste Collection and Disposal Regulations (Northern Ireland) 1992 shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 9 (cases where a disposal licence is not required), for “1 to 16” in Regulation 9(2) and “and 16” in regulation 9(3) there shall be substituted “1 to 16A” and “16 and 16A” respectively.

(3) After paragraph 16 of Schedule 6 (cases in which a disposal licence is not required) there shall be inserted the following paragraph—

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(1) S.I.1992/2870

(2) S.I. 1972 c. 68

(3) S.I. 1978/1049 (N.I. 19); see Article 2(2) for definitions of “Department”, “prescribed” and “regulations”

(4) S.R. 1992 No. 254

“**16A.**—(1) Deposit of waste mammalian protein in a secure place on premises (in which it has not been produced) where—

- (a) the total quantity of waste mammalian protein deposited at any time on those premises does not exceed 100,000 tonnes;
- (b) the deposit is made for a period not exceeding 12 months.

(2) In this paragraph and in paragraph 23, “mammalian protein” means proteinaceous material which is derived from the whole or part of any dead mammal by a process of crushing, cooking or grinding.”

(4) After paragraph 22 of Schedule 6 there shall be inserted the following paragraph—

“**23.**—(1) Storing or holding waste mammalian protein in a secure place on premises where—

- (a) the total quantity of waste mammalian protein held or stored at any time in those premises does not exceed 100,000 tonnes; and
- (b) that waste is not held or stored for more than 12 months.”

### **Registration in connection with exempt activities**

**3.**—(1) It shall be an offence for an establishment or undertaking to carry on an exempt activity without being registered with the appropriate district council.

(2) The appropriate district council shall establish and maintain for the purposes of paragraph (1) a register of establishments and undertakings carrying on exempt activities.

(3) Subject to paragraph (4), the register shall contain the following particulars in relation to each such establishment or undertaking—

- (a) the name and address of the establishment or undertaking;
- (b) the activity which constitutes the exempt activity; and
- (c) the place where the activity is carried on.

(4) The appropriate district council shall enter the relevant particulars in the register in relation to an establishment or undertaking if it receives notice of them in writing.

(5) A person guilty of an offence under paragraph (1) shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(6) In this regulation, “appropriate district council” is the district council for the area in which the establishment or undertaking carries on an exempt activity.

Sealed with the Official Seal of the Department of the Environment on

L.S.

7th February 1997.

*R. W. Rogers*  
Assistant Secretary

## EXPLANATORY NOTE

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

Regulation 2 of these Regulations amends Schedule 6 to the Waste Collection and Disposal Regulations (Northern Ireland) 1992 by providing that a disposal licence under the Pollution Control and Local Government (Northern Ireland) Order 1978 is not required where waste mammalian protein is deposited in accordance with the new paragraph 16A or plant or equivalent is used for dealing with waste mammalian protein in accordance with the new paragraph 23.

Regulation 3 gives effect to Article 11(1)(b) — first indent of Council Directive (91/156/EEC) (O.J. No. L78/32, 26.3.91) (amending Directive 75/442/EEC on waste) by providing for exemptions of establishments or undertakings from the requirements of the Directive if registered with the appropriate district council. The appropriate district council is the competent authority for the purpose of Article 11 of the Directive.

Copies of associated legislation and this Amendment are obtainable from the Stationery Office, 16 Arthur Street, Belfast BT1 4GD.