
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 289

The Special Waste Regulations (Northern Ireland) 1998

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Special Waste Regulations (Northern Ireland) 1998 and shall come into operation on 18th September 1998.

(2) The Interpretation Act (Northern Ireland) 1954(1) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(3) These Regulations do not apply in relation to any special waste in respect of which, in accordance with regulation 22(2), the Pollution Control (Special Waste) Regulations (Northern Ireland) 1981(2) continue to have effect.

(4) In these Regulations—

“the 1978 Order” means the Pollution Control and Local Government (Northern Ireland) Order 1978;

“the 1997 Order” means the Waste and Contaminated Land (Northern Ireland) Order 1997;

“the approved classification and labelling guide” means the document published by the Health and Safety Commission entitled “Approved Guide to the Classification and Labelling of Substances and Preparations Dangerous for Supply (Second Edition)”(3) approved by the Department of Economic Development for the purposes of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995(4);

“the approved supply list” means the document published by the Health and Safety Commission entitled “Information Approved for the Classification and Labelling of Substances and Preparations Dangerous for Supply (3rd Edition)” as revised by the document published by the Health and Safety Commission and entitled “Approved Supply List Supplement”(5) approved by the Department of Economic Development for the purposes of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995;

“authorised person” means a person authorised in writing by the Department for the purposes of these regulations;

“carrier”, in relation to a consignment of special waste, means the person who collects that waste from the premises at which it is being held and delivers it to another person for treatment or disposal;

“carrier’s round”, in relation to consignments of special waste, means a journey made by a carrier during which he collects more than one consignment of special waste and transports all consignments collected to the same consignee who is specified in the consignment note;

“carrier’s schedule” means a schedule prepared in accordance with regulation 8;

(1) 1954 c. 33 (N.I.)

(2) S.R. 1981 No. 252 as amended by Part IV of Schedule 6 to the Radioactive Substances Act 1993 (1993 c. 12)

(3) The approved classification and labelling guide is available from HSE Books, PO Box 1999, Sudbury, Suffolk, C10 6FS

(4) S.R. 1995 No. 60, relevant amendments are S.R. 1996 No. 376 and S.R. 1997 No. 398

(5) The Approved Supply List and Supplement are available from HSE Books, PO Box 1999, Sudbury, Suffolk, C10 6FS

“consignee”, in relation to any consignment of special waste, means the person to whom that waste is to be delivered for treatment or disposal;

“consignment note”, in relation to a consignment of special waste, means a note in the form set out in Schedule 1, and giving the details required by these Regulations to be shown in respect of that consignment (including, where the consignment is one in a succession of consignments, any details required to be shown in respect of other consignments in the succession);

“consignor”, in relation to a consignment of special waste, means the person who causes that waste to be removed from the premises at which it is being held;

“controlled waste” has the same meaning as in Part II of the 1997 Order;

“conveyance” includes a vehicle designed to carry goods by road or rail and a vessel designed to carry goods by water;

“disposal licence” has the same meaning as in Part II of the 1978 Order;

“harbour area” has the same meaning as in the Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991(6);

“the Hazardous Waste Directive” means Council Directive 91/689/EEC on hazardous waste, as amended by Council Directive 94/31/EC(7);

“household waste” has the same meaning as in Part II of the 1997 Order, other than—

- (a) asbestos;
- (b) waste from a laboratory;
- (c) waste from a hospital, other than waste from a self-contained part of a hospital which is used wholly for the purposes of living accommodation;

“premises” includes any ship;

“relevant code”, in relation to a consignment note or carrier’s schedule, means the code assigned in accordance with regulation 4 to the consignment of special waste to which the consignment note or carrier’s schedule relates or, where the consignment is one in a carrier’s round, to the consignments in that round;

“risk phrase” means the risk phrase shown under Part III of the approved supply list;

“ship” means a vessel of any type whatsoever operating in the marine environment including submersible craft, floating craft and any structure which is a fixed or floating platform; and

“special waste” has the meaning given by regulation 2.

(6) S.R. 1991 No. 509

(7) Council Directive 91/689/EEC is to be found at O.J. No. L377, 31.12.91, p. 20; Council Directive 94/31/EC at O.J. No. L168, 2.7.94, p. 28. See also Council Decision 94/904/EC (O.J. No. L356, 31.12.94, p. 14)