STATUTORY RULES OF NORTHERN IRELAND

2005 No. 300

The Hazardous Waste Regulations (Northern Ireland) 2005

PART 1

GENERAL

The List of Wastes

5. In these Regulations—

(a) "the List of Wastes Decision" means Commission Decision 2000/532/EC(**1**) of 3rd May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended by amendments thereto which have effect from time to time in relation to Northern Ireland pursuant to the List of Wastes Regulations;

(b) "the List of Wastes Regulations" means the List of Wastes (Northern Ireland) Regulations 2005(**2**);

(c) "the List of Wastes" means the List of Wastes set out in the List of Wastes Decision as it is for the time being set out in the List of Wastes Regulations, being the list referred to in the first indent of Article 1(4) of the Hazardous Waste Directive drawn up on the basis of Annexes I and II, having one or more of the properties listed in Annex III, taking account of the origin and composition of the waste and, where necessary, limit values of concentration; and

(d) in relation to any waste—

(i) the expressions "listed as a waste" and "listed as a hazardous waste" refer to that waste being listed as a waste, or as a hazardous waste as the case may be, for the time being in the List of Wastes(**3**) provided, in the case of a waste listed as a hazardous waste, it shall only be considered to be listed as a hazardous waste where any relevant limit value of concentration is met; and

(ii) the expression "not listed as hazardous" refers to that waste being not listed as a hazardous waste for the time being in the List of Wastes, whether or not it is listed as a waste, and whether or not it is otherwise a hazardous waste pursuant to these Regulations;

and cognate expressions shall be construed accordingly.

(**1**) O.J. No. L226, 6.9.2000, p. 3
(**2**) S.R. 2005 No. 301
(**3**) S.R. 2005 No. 301