
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 127

The Waste Regulations (Northern Ireland) 2011

PART 3

Waste

Duty in relation to the waste hierarchy (coming into operation 8 October 2011)

17.—(1) It shall be the duty of any person who imports, produces, collects, carries, keeps, treats or disposes of waste, or as a broker or dealer has control of controlled waste, on the transfer of such waste to take all such measures available to that person as are reasonable in the circumstances to apply the waste hierarchy priority order in accordance with Article 4 of the Waste Framework Directive.

(2) An establishment or undertaking may depart from the waste hierarchy priority order so as to achieve the best overall environmental outcome where this is justified by life-cycle thinking on the overall impacts of the generation and management of the waste;

(3) When considering the overall impacts mentioned in paragraph (2), the following considerations shall be taken into account—

- (a) the general environmental protection principles of precaution and sustainability;
- (b) technical feasibility and economic viability;
- (c) protection of resources;
- (d) the overall environmental, human health, economic and social impacts.

(4) The duty in paragraph (1) shall not apply to an occupier of domestic property as respects the household waste produced on the property.

(5) The Department may give guidance on the discharge of the duty in paragraph (1).

(6) A person discharging the duty in paragraph (1) shall, in doing so, have regard to any guidance given under paragraph (5).