

2016 No. 401

ENVIRONMENTAL PROTECTION

**The Waste (Fees and Charges) (Amendment) Regulations
(Northern Ireland) 2016**

Made - - - - - *16th November 2016*

Coming into operation - - - - - *16th December 2016*

The Department of Agriculture, Environment and Rural Affairs, being a Department designated^(a) for the purposes of Section 2(2) of the European Communities Act 1972^(b) in relation to measures relating to the prevention, reduction and elimination of pollution caused by waste and in relation to measures relating to the environment, makes the following Regulations in exercise of the powers conferred by Section 2(2) of that Act and Articles 39(2) and (3) of the Waste and Contaminated Land (Northern Ireland) Order 1997^(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2016 and shall come into operation on 16th December 2016.

(2) The Interpretation Act (Northern Ireland) 1954^(d) applies to these Regulations as it applies to an Act of the Assembly.

Amendments of the Controlled Waste (Regulations of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999

2.—(1) The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999^(e) are amended in accordance with paragraph (2)—

(2) In regulation 4 (applications for registration)—

(a) in paragraph (8)(a) for “£138” substitute “£142”; and

(b) in paragraph (8)(b) for “£70” substitute “£72”.

Amendments of the Waste Management Licensing Regulations (Northern Ireland) 2003

3.—(1) The Waste Management Licensing Regulations (Northern Ireland) 2003^(f) are amended in accordance with paragraphs (2) and (3)—

(2) In regulation 18 (registration in connection with exempt activities)—

(a) S.I. 1992/2870 and S.I. 2008 No. 301

(b) 1972 c.68

(c) S.I. 1997/2778 (N.I. 19) relevant amendment is S.I. 2007/611 (N.I. 3)

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

(e) S.R. 1999 No. 362 as amended by S.R. 2011 No. 127, S.R. 2013 No. 248 and S.R. 2015 No. 21

(f) S.R. 2003 No. 493 relevant amendments are S.R. 2006 No. 280, S.R. 2006 No. 519, S.R. 2009 No. 159, S.R. 2010 No. 84, S.R. 2011 No. 127, S.R. 2011 No. 232, S.R. 2013 No. 248 and S.R. 2015 No. 21

- (a) in paragraph (12)(a) for “£842” substitute “£867”;
 - (b) in paragraph (12)(b) for “£611” substitute “£629”; and
 - (c) in paragraph (12)(c) for “£611” substitute “£629”.
- (3) In Schedule 4 (registration of brokers and dealers of controlled waste)—
- (a) in paragraph 3(10)(a) for “£138” substitute “£142”;
 - (b) in paragraph 3(10)(b) for “£70” substitute “£72”; and
 - (c) in paragraph 3(10)(c) for “£30” substitute “£35”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 16th November 2016.



John Mills
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Department is required to have in place a charging scheme to ensure that, so far as practicable, fees and charges payable for waste management licences under the Waste and Contaminated Land (Northern Ireland) Order 1997 (the “1997 Order”) are sufficient to recover the costs for the Department in exercising its functions under the 1997 Order. However, fees for considering applications to register an undertaking carrying on an exempt activity and charges for considering applications for registration as carriers of, brokers of, or dealers in controlled waste are set out in legislation, as opposed to the charging scheme. The purpose of these Regulations is to increase those legislative fees and charges.

These Regulations amend regulation 4 of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999, which sets out the charges for registration as a carrier of controlled waste.

Also amended is regulation 18 of the Waste Management Licensing Regulations (Northern Ireland) 2003, which sets out fees in relation to registration of an undertaking or establishment carrying out activities exempted from the requirement to obtain a full waste management licence; and paragraph 3(10) of Schedule 4 to the Waste Management Licensing Regulations (Northern Ireland) 2003, which sets out fees in relation to the registration of brokers of and dealers in controlled waste.

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