

---

DRAFT STATUTORY INSTRUMENTS

---

**2004 No.**

**ENVIRONMENTAL PROTECTION, ENGLAND**

The Landfill Allowances and Trading  
Scheme (England) Regulations 2004

*Made* - - - -

*Coming into force*

*1st April 2005*

THE LANDFILL ALLOWANCES AND TRADING  
SCHEME (ENGLAND) REGULATIONS 2004

PART 1

General

1. Citation, commencement and application
2. Interpretation
3. Giving notices and notifications, and the submission of forms and returns
4. Electronic registers and forms

PART 2

Allocation and the banking, borrowing and transfer of landfill allowances

5. Allocation of allowances
6. Banking landfill allowances
7. Borrowing of landfill allowances
8. Transfer of landfill allowances
9. Suspension of banking, borrowing and transferring of landfill allowances

PART 3

Monitoring

10. Monitoring authority and keeping the provisions in regulation 13(2) under review
11. Obligation for waste disposal authorities to keep records and make returns
12. Obligation for operators of landfills to keep records and make returns
13. Determining the amount of biodegradable municipal waste in amounts of waste

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Landfill Allowances and Trading Scheme (England) Regulations 2004 No. 3212*

14. Calculation of the amount of biodegradable municipal waste sent to landfills

15. Utilisation of landfill allowances

PART 4

Registers

16. Landfill allowances register

17. Penalties register

18. Amendment of information on registers

19. Availability of registers

PART 5

Penalties

20. Penalties: exceeding allowances

21. Penalties: failure to comply with requirements imposed by regulation 11 of these Regulations

22. Penalties: general

PART 6

Guidance

23. Guidance to waste disposal authorities  
Signature

---

SCHEDULE — Amount of biodegradable municipal waste in certain types of waste

1. In this Schedule— “inert construction and demolition waste”— means any...

Explanatory Note