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STATUTORY INSTRUMENTS

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**1994 No. 522**

**ENVIRONMENTAL PROTECTION**

**The Environmental Protection (Waste Recycling Payments) (Amendment) Regulations 1994**

<i>Made</i>	- - - -	<i>1st March 1994</i>
<i>Laid before Parliament</i>		<i>10th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Secretary of State for the Environment as respects England, the Secretary of State for Wales as respects Wales and the Secretary of State for Scotland as respects Scotland, in exercise of the powers conferred on them by section 52(8) of the Environmental Protection Act 1990(1), and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Environmental Protection (Waste Recycling Payments) (Amendment) Regulations 1994 and shall come into force on 1st April 1994.

**Amendment of regulations**

2.—(1) The Environmental Protection (Waste Recycling Payments) Regulations 1992(2) shall be amended as follows.

(2) For regulation 2(2) there shall be substituted the following:

“(2) The authority’s net saving of expenditure shall be an amount equal to the expenditure which it would have incurred in disposing of the waste at a cost per tonne equal to its average cost per tonne at the relevant time of disposing of similar waste using its most expensive disposal method for waste collected in the relevant area.

(2A) In paragraph (2) above, “the relevant area” means the waste collection authority area in which the waste in question is collected or, where the waste in question is collected by a person other than a waste collection authority in the area of more than one waste collection authority and it is not reasonably practicable for that person to determine how much of that waste was collected in each such area, the area consisting of the areas of all those waste collection authorities.”.

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(1) 1990 c. 43.

(2) S.I.1992/462, amended by S.I. 1993/445.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(3) For the Schedule there shall be substituted—

“THE SCHEDULE

Regulation 2(5)

REPRESENTATIVE SAVINGS IN WASTE DISPOSAL COSTS

Type of waste disposal authority	Saving in waste disposal costs per tonne
A London waste disposal authority for an area which includes an inner London borough. The council of an inner London borough. The Common Council of the City of London.	£34.52
A London waste disposal authority which comprises outer London boroughs. The council of an outer London borough.	£29.28
The Greater Manchester Waste Disposal Authority. The Merseyside Waste Disposal Authority. The council of a metropolitan district.	£23.02
Any other waste disposal authority.	£16.74 where the authority incurs any transport costs in disposing of similar waste and £9.42 in other cases.”.

Signed by authority of the Secretary of State for the Environment

25th February 1994

*Robert Atkins*  
Minister of State,  
Department of the Environment

25th February 1994

*John Redwood*  
Secretary of State for Wales

Signed by authority of the Secretary of State

1st March 1994

*Hector Monro*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 52(1) of the Environmental Protection Act 1990 requires waste disposal authorities to pay waste collection authorities amounts representing their net savings on the disposal of waste retained by collection authorities for recycling.

Section 52(3) of that Act confers a power on waste disposal authorities to pay persons other than waste collection authorities equivalent amounts for waste collected by them for recycling.

The Environmental Protection (Waste Recycling Payments) Regulations 1992 make provision for the determination of a waste disposal authority's net saving of expenditure for the purposes of section 52(1) or (3) of that Act in relation to such waste. The Schedule to the 1992 Regulations provides figures for determining a waste disposal authority's net saving of expenditure where this cannot otherwise be determined because sufficient accurate information is not available or could only be obtained at disproportionate cost.

These Regulations amend the method of calculating the net saving of expenditure, and increase the figures in the Schedule, to reflect the fact that authorities have now had adequate opportunity to adjust their arrangements to achieve a full saving of costs.