
STATUTORY INSTRUMENTS

2005 No. 894

The Hazardous Waste (England and Wales) Regulations 2005

PART 3

APPLICATION OF PARTS 4 TO 11

General application of Parts 4 to 11

12.—(1) Subject to paragraphs (2) to (4), these Regulations apply to hazardous waste.

(2) Except as provided in regulations 13 (application to asbestos waste) and 14 (application to separately collected fractions), these Regulations do not apply to domestic waste⁽¹⁾.

(3) Nothing in Part 6 of these Regulations (movement of hazardous waste) shall apply in relation to shipments of waste to which the provisions of Council Regulation 259/93/EEC⁽²⁾, other than Title III of that Regulation, apply.

(4) These Regulations apply to hazardous waste in England notwithstanding that the waste—

- (a) was produced on or removed from premises in Scotland, Wales, Northern Ireland or Gibraltar; or
- (b) is, or is to be, transported from premises in England to premises located in one of those places.

(5) For the avoidance of doubt, in their application to—

- (a) ships' waste, these Regulations apply to any ship;
- (b) the internal waters and the territorial sea of the United Kingdom adjacent to England, these Regulations apply, without prejudice to paragraph (3), to a consignment of waste transported in any ship,

in each case (whether the ship is a United Kingdom ship or otherwise and, if a United Kingdom ship, whether registered in England or otherwise).

(1) Article 1(5) of the Hazardous Waste Directive made provision for specific rules to be made by the European Community taking into consideration the particular nature of domestic waste; no such rules have, at the date of making these Regulations, been adopted.

(2) OJNo. L 30, 6.2.1993, p. 1.