

STATUTORY INSTRUMENTS

**2007 No. 1711**

**The Transfrontier Shipment of Waste Regulations 2007**

**PART 2**

**[<sup>F1</sup>UK Plan for Shipments of Waste]**

**F1** Pt. 2 heading substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **18**; 2020 c. 1, Sch. 5 para. 1(1)

**Waste management plan**

<sup>F2</sup>**11.** . . . . .

**F2** Reg. 11 omitted (31.12.2020) by virtue of [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **19**; 2020 c. 1, Sch. 5 para. 1(1)

**[<sup>F3</sup>UK Plan for Shipments of Waste: continuation and changes**

**11A.**—(1) The UK Plan for Shipments of Waste of May 2012 continues to have effect.

(2) The Secretary of State may from time to time amend or replace the UK Plan for Shipments of Waste of May 2012; and that plan, as amended or replaced, is referred to in this Part as “the UK Plan”.

(3) Before amending or replacing the UK Plan, the Secretary of State must be satisfied that the change meets the objectives set out in—

- (a) Article 4(2)(b) and (d) and (9)(a) of the Basel Convention<sup>(1)</sup>; and
- (b) paragraphs 1 to 3 of Schedule 1 to the Waste (England and Wales) Regulations 2011, reading those paragraphs as if—
  - (i) the objectives in those paragraphs related to the United Kingdom as a whole;
  - (ii) in paragraph 2(2), the reference to the appropriate authority were a reference to the Secretary of State.]

**F3** Reg. 11A inserted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **20**; 2020 c. 1, Sch. 5 para. 1(1)

**Public participation procedures**

**12.**—(1) As soon as reasonably practicable after preparing proposals for [<sup>F4</sup>amending or replacing the UK Plan], the Secretary of State must—

(1) OJ No L 114, 27.4.2006, p 9.

- (a) take such steps as he considers appropriate to bring the proposals to the attention of the persons who in his opinion are affected or likely to be affected by, or have an interest in, the [<sup>F5</sup>proposals] (in this Part, referred to as “public consultees”);
  - (b) inform public consultees of the address from which a copy of the proposals may be obtained;
  - (c) invite public consultees to express their opinions on the proposals, specifying the address to which, and the period within which, opinions must be sent.
- (2) The period referred to in paragraph (1)(c) must be sufficient to ensure that public consultees are given an effective opportunity to express their opinions on the proposals.
- (3) The Secretary of State must keep a copy of the proposals for inspection by the public at all reasonable times free of charge.
- (4) The Secretary of State may make a reasonable charge for copies provided under paragraph (1)(b).

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| <p><b>F4</b> Words in reg. 12(1) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), <b>21(a)</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> <p><b>F5</b> Word in reg. 12(1)(a) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), <b>21(b)</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> |
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### Procedures following public participation

13.—(1) Before decisions on [<sup>F6</sup>amending or replacing the UK Plan] are made, the Secretary of State must take account of any opinions expressed by public consultees in accordance with regulation 12.

(2) As soon as reasonably practicable after making decisions on [<sup>F7</sup>amending or replacing the UK Plan], the Secretary of State must—

- (a) inform public consultees of the matters referred to in paragraph (3);
  - (b) take such steps as he considers appropriate to bring those matters to the attention of the public;
  - (c) if he has [<sup>F8</sup>amended or replaced the UK Plan], make a copy of it available for inspection at all reasonable times free of charge.
- (3) The matters are—
- (a) the decisions made by the Secretary of State on the [<sup>F9</sup>proposals];
  - (b) the reasons and considerations upon which those decisions are based; and
  - (c) information about the public participation procedure.

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| <p><b>F6</b> Words in reg. 13(1) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), <b>22(2)</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> <p><b>F7</b> Words in reg. 13(2) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), <b>22(3)(a)</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> <p><b>F8</b> Words in reg. 13(2)(c) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), <b>22(3)(b)</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> <p><b>F9</b> Word in reg. 13(3)(a) substituted (31.12.2020) by The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), <b>22(4)</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> |
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### Provision of the plan to competent authorities

14. The Secretary of State must <sup>[F10]</sup>, on amending or replacing the UK Plan, send a copy of it] to—
- (a) the Environment Agency;
  - <sup>[F11]</sup>(aa) the Natural Resources Body for Wales;
  - (b) the Scottish Environment Protection Agency; and
  - (c) the Department of <sup>[F12]</sup>Agriculture, Environment and Rural Affairs] in Northern Ireland.

- F10** Words in reg. 14 substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **23**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Reg. 14(aa) inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **9** (with reg. 23)
- F12** Words in reg. 14(c) substituted (15.3.2019) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(1), **6**

### Objections to shipments of waste

15. For the purpose of preventing shipments of waste that are not in accordance with the <sup>[F13]</sup>UK Plan]—
- (a) a competent authority of destination must object to any shipment notified in accordance with the Community Regulation which <sup>[F14]</sup>the UK Plan] indicates should not be brought into the United Kingdom; and
  - (b) a competent authority of dispatch must object to any shipment notified in accordance with the Community Regulation which <sup>[F15]</sup>the UK Plan] indicates should not be dispatched from the United Kingdom.

- F13** Words in reg. 15 substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **24(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in reg. 15(a) substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **24(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in reg. 15(b) substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **24(c)**; 2020 c. 1, Sch. 5 para. 1(1)

### <sup>[F16]</sup>The Waste (England and Wales) Regulations 2011]

16. <sup>[F17]</sup>Paragraph 6(1)(c) of Schedule 4 to the Waste Management Licensing (Scotland) Regulations 2011]

<sup>[F16]</sup>The reference to a waste management plan in regulation 7 of the Waste (England and Wales) Regulations 2011 includes <sup>[F18]</sup>the UK Plan].]

- F16** Reg. 16 substituted (E.W.) (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), regs. 1(1), **76** (with regs. 1(3), 77-79, Sch. 4)
- F17** Words in reg. 16 substituted (S.NI.) (15.3.2019) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(1), **7**
- F18** Words in reg. 16 substituted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), **25**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Transfrontier Shipment of Waste Regulations 2007, PART 2. (See end of Document for details)*

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