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## STATUTORY INSTRUMENTS

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# 2007 No. 2596

## The Pet Cemeteries (England and Wales) Regulations 2007

### Citation, commencement and extent

1. These Regulations—
  - (a) may be cited as the Pet Cemeteries (England and Wales) Regulations 2007;
  - (b) come into force on 1st October 2007;
  - (c) extend to England and Wales.

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#### Commencement Information

**I1** Reg. 1 in force at 1.10.2007, see [reg. 1\(b\)](#)

### Amendment of the Waste Management Licensing Regulations 1994

- 2.—(1) The Waste Management Licensing Regulations 1994(1) are amended as follows.
- (2) In paragraph (2) of regulation 4 (technical competence) for sub-paragraph (c) substitute—

“(c) the burial of the remains of dead domestic pets”.

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#### Commencement Information

**I2** Reg. 2 in force at 1.10.2007, see [reg. 1\(b\)](#)

### Amendment of the Pollution Prevention and Control (England and Wales) Regulations 2000

- 3.—(1) The Pollution Prevention and Control Regulations 2000(2) are amended as follows.
- (2) After paragraph (b) of Part A(1) of Section 5.2 in Part 1 of Schedule 1 (disposal of waste by landfill) insert—

*“Interpretation of Part A(1)*

1. Nothing in this Part applies to the disposal of waste in a pet cemetery receiving 10 tonnes of waste or less in any day or with a total capacity of 25,000 tonnes or less.
2. For the purposes of paragraph 1 “pet cemetery” means a landfill for the disposal of material consisting entirely of the remains of dead domestic pets.”.

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#### Commencement Information

**I3** Reg. 3 in force at 1.10.2007, see [reg. 1\(b\)](#)

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(1) S.I. 1994/1056; relevant amending instruments are S.I. 2003/595 and 2003/780.  
(2) S.I. 2000/1973; relevant amending instrument is S.I. 2002/1559.

## Amendment of the Landfill (England and Wales) Regulations 2002

- 4.—(1) The Landfill (England and Wales) Regulations 2002(3) are amended as follows.
- (2) In regulation 2 (interpretation)—
- (a) insert at the appropriate place—
- “the 1990 Act” means the Environmental Protection Act 1990(4);
- “pet cemetery” means a landfill for the disposal of material consisting entirely of the remains of dead domestic pets;”;
- (b) for the definition of “waste” substitute—
- “waste” means controlled waste within the meaning of section 75(4) of the 1990 Act;”;
- (c) for the definition of “waste management licence” substitute—
- “waste management licence” means a waste management licence within the meaning of Part II of the 1990 Act.”.
- (3) In regulation 6 (extension of categories of landfill subject to the 2000 Regulations etc) for paragraph (2) substitute—
- “(2) In these Regulations “landfill permit” means—
- (a) in relation to a pet cemetery receiving 10 tonnes of waste or less in any day or with a total capacity of 25,000 tonnes or less, a waste management licence; and
- (b) in relation to any other landfill, the permit which is required by the 2000 Regulations for the carrying out of the disposal of waste in a landfill.”.
- (4) In regulation 8 (conditions to be included in landfill permits) for paragraph (2)(b) substitute—
- “(b) ensuring that the financial provision required by section 74(3)(c) of the 1990 Act or by regulation 4(3)(c) of the 2000 Regulations is maintained until the landfill permit is surrendered in accordance with those Regulations or that Act;”.
- (5) In regulation 11 (costs of disposal of waste in landfills) for paragraph (b) substitute—
- “(b) the costs of the financial provision required by section 74(3)(c) of the 1990 Act or by regulation 4(3)(c) of the 2000 Regulations;”.
- (6) In regulation 15 (closure and after-care procedures for landfills) for paragraph (6) substitute—
- “(6) Notwithstanding sections 38 and 39 of the 1990 Act (requirements on revocation or surrender of waste management licences)(5) or regulations 19 and 21 of the 2000 Regulations (requirements on surrender or revocation of permits), the Environment Agency shall not accept any complete or partial surrender of the landfill permit, or revoke it in whole or in part, for as long as the Environment Agency considers that the landfill (or the relevant part of it) is likely to cause a hazard to the environment.”.

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### Commencement Information

**I4** Reg. 4 in force at 1.10.2007, see [reg. 1\(b\)](#)

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(3) [S.I. 2002/1559](#); relevant amending instruments are [S.I. 2004/1375](#), [2005/1640](#) and [2006/937](#).

(4) [1990 c.43](#).

(5) Sections 38 and 39 were amended by the Environment Act [1995 \(c.25\)](#), Schedule 22, paragraphs 72 and 73 respectively. Section 38 was also amended by [S.I. 2005/894](#).

## Transitional provisions

5.—(1) A waste management licence authorising the disposal of waste in a pet cemetery receiving 10 tonnes of waste or less in any day or with a total capacity of 25,000 tonnes or less on 1st October 2007 shall cease to authorise such disposal from the determination date, unless on or before that date the licence is modified to authorise disposal in accordance with the Landfill (England and Wales) Regulations 2002.

(2) A permit under the Pollution Prevention and Control (England and Wales) Regulations 2000 authorising the disposal of waste in a pet cemetery receiving 10 tonnes of waste or less in any day or with a total capacity of 25,000 tonnes or less on 1st October shall be treated as a waste management licence for all purposes from 1st October 2007, except that paragraph (1) shall not apply to it.

(3) In this regulation—

“determination date” means 1st March 2008 or where an application for a modification to a waste management licence is made to authorise disposal in accordance with the Landfill (England and Wales) Regulations 2002 before 1st March 2008, the date on which the application is granted or, if the application is (or is deemed to be) rejected, the date on which the period for appealing against that rejection expires without an appeal being made or on which any appeal is withdrawn or finally determined;

“pet cemetery” means a landfill for the disposal of material consisting entirely of the remains of dead domestic pets;

“waste management licence” means a waste management licence within the meaning of Part II of the Environmental Protection Act 1990.

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### Commencement Information

**I5** Reg. 5 in force at 1.10.2007, see [reg. 1\(b\)](#)

5th September 2007

4th September 2007

*Joan Ruddock*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs  
*Jane Davidson*  
Minister for Environment, Sustainability and  
Housing,  
one of the Welsh Ministers

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Pet Cemeteries (England and Wales) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2007/3538 Sch. 22](#)