
STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 1

General

Interpretation

3.—(1) In these Regulations—

“appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;

[^{F1}“appropriate body” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales;]

“controlled waste” has the meaning given in section 75(4) of the Environmental Protection Act 1990 ^{M1};

[^{F2}“EU-derived domestic legislation” has the meaning given by section 2(2) of the European Union (Withdrawal) Act 2018;]

“hazardous waste”—

- (a) in relation to England has the meaning given in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005 ^{M2};
- (b) in relation to Wales has the meaning given in regulation 6 of the Hazardous Waste (Wales) Regulations 2005 ^{M3};

[^{F3}“Industrial Emissions Directive” means Directive [2010/75/EC](#) of the European Parliament and of the Council on industrial emissions (integrated pollution prevention control), read in accordance with regulation 3A;

“Landfill Directive” means Council Directive [1999/31/EC](#) on the landfill of waste, as last amended by Directive (EU) 2018/850, read in accordance with regulation 3B;

“local authority” means—

- (a) in England outside Greater London—
 - (i) a district council,
 - (ii) a county council, or
 - (iii) the Council of the Isles of Scilly;
- (b) in Greater London—
 - (i) the council of a London borough,
 - (ii) the Common Council of the City of London,

- (iii) the Sub-Treasurer of the Inner Temple, or
- (iv) the Under-Treasurer of the Middle Temple;
- (c) in Wales—
 - (i) a county council, or
 - (ii) a county borough council;

“Mining Waste Directive” means Directive [2006/21/EC](#) of the European Parliament and of the Council on the management of waste from extractive industries, read in accordance with regulation 3C;]

[^{F4}“the List of Wastes” means the list of wastes established by Commission Decision [2000/532/EC](#) replacing Decision [94/3/EC](#) establishing a list of wastes pursuant to Article 1(a) of Council Directive [75/442/EEC](#) on waste and Council Decision [94/904/EC](#) establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive [91/689/EEC](#) on hazardous waste, as amended from time to time;]

“national waste management plan” means a waste management plan prepared by an appropriate authority;

“waste collection authority” means an authority which is a waste collection authority for the purposes of Part 2 of the Environmental Protection Act 1990 ^{M4};

[^{F5}“the Waste Framework Directive” means Directive [2008/98/EC](#) of the European Parliament and of the Council on waste][^{F6}, as last amended by][^{F7}Directive (EU) 2018/851][^{F8}and as read in accordance with regulation 3D];

“waste management plan” has the meaning given in regulation 7(1);

[^{F9}“waste prevention measures” means measures taken before a substance, material or product has become waste that reduce—

- (a) the quantity of waste, including through the re-use of products or the extension of the life span of products;
- (b) the adverse impacts of generated waste on the environment and human health; or
- (c) the content of hazardous substances in materials and products;]

“waste prevention programme” has the meaning given in regulation 4(1) and (2).

(2) Terms which are used but not defined in these Regulations and are used in the Waste Framework Directive have the same meaning as in that Directive.

Textual Amendments

- F1** Words in reg. 3(1) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 4 para. 403** (with Sch. 7)
- F2** Words in reg. 3(1) inserted (31.12.2020) by [The Waste \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/188\)](#), regs. 1(2)(b), **16(2)(a)** (as amended by S.I. 2020/1540, regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 3(1) inserted (31.12.2020) by [The Waste \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/188\)](#), regs. 1(2)(b), **16(2)(b)** (as amended by S.I. 2020/1540, regs. 1(2)(3), **11(2)(10)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F4** Words in reg. 3(1) inserted (E.) (1.7.2015) by [The Hazardous Waste \(Miscellaneous Amendments\) Regulations 2015 \(S.I. 2015/1360\)](#), regs. 1(1), **8(2)** (with Sch. 2)
Words in reg. 3(1) inserted (W.) (20.7.2015) by [The Hazardous Waste \(Miscellaneous Amendments\) \(Wales\) Regulations 2015 \(S.I. 2015/1417\)](#), regs. 1(2), **5(2)**

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- F5** Words in reg. 3(1) substituted (W.) (31.7.2016) by The Waste (Meaning of Recovery) (Miscellaneous Amendments) (Wales) Regulations 2016 (S.I. 2016/691), regs. 1(2), **5(2)**; Words in reg. 3(1) substituted (3.8.2016) by The Waste (Meaning of Recovery) (Miscellaneous Amendments) Regulations 2016 (S.I. 2016/738), regs. 1(1), **10**
- F6** Words in reg. 3(1) inserted (W.) (5.7.2018) by The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2018 (S.I. 2018/721), regs. 1(2), **5**; Words in reg. 3(1) inserted (E.) (5.7.2018) by The Environment, Food and Rural Affairs (Miscellaneous Amendments) (England) Regulations 2018 (S.I. 2018/575), regs. 1(2)(b), **7**
- F7** Words in reg. 3(1) substituted (1.10.2020) by The Waste (Circular Economy) (Amendment) Regulations 2020 (S.I. 2020/904), regs. 1(1), **15(2)(a)**
- F8** Words in reg. 3(1) inserted (31.12.2020) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(b), **16(2)(c)** (as amended by S.I. 2020/1540, regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in reg. 3(1) inserted (1.10.2020) by The Waste (Circular Economy) (Amendment) Regulations 2020 (S.I. 2020/904), regs. 1(1), **15(2)(b)**

Marginal Citations

- M1** 1990 c. 43. The definition of “controlled waste” depends on the definitions of “household waste” in section 75(5), “industrial waste” in section 75(6) and “commercial waste” in section 75(7). Section 75(6) and (7) was amended by [S.I. 2006/937](#).
- M2** [S.I. 2005/894](#), to which there are amendments not relevant to these Regulations.
- M3** [S.I. 2005/1806](#) (W. 138), to which there are amendments not relevant to these Regulations.
- M4** See section 30(3), which was amended by the Local Government (Wales) Act 1994, sections 22(3) and 66(8) and paragraph 17(3) of Schedule 9.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 13(1A) inserted by [S.I. 2023/1290 reg. 11](#)
- reg. 14(A1) inserted by [S.I. 2023/1290 reg. 12](#)
- reg. 15A inserted by [S.I. 2023/1290 reg. 13](#)
- reg. 16(3)(ba) substituted for reg. 16(3)(b) by [2023 c. 55 Sch. 8 para. 32](#)