

---

WELSH STATUTORY INSTRUMENTS

---

**2004 No. 1488 (W.153)(C.58)**

**ENVIRONMENTAL PROTECTION, WALES**

The Waste and Emissions Trading Act  
2003 (Commencement) (Wales) Order 204

Made - - - -

8 June 2004

The National Assembly for Wales, in exercise of the powers conferred on it by section 40 of the Waste and Emissions Trading Act 2003<sup>(1)</sup>, makes the following Order:

**Citation**

1. This Order may be cited as the Waste and Emissions Trading Act 2003 (Commencement) (Wales) Order 2004.

**Commencement**

2.—(1) Subject to paragraph (2) Sections 4, 5, 9,10, 19 and 35(a) and (c) of the Waste and Emissions Trading Act 2003 come into force on 25 June 2004.

(2) Sections 4,5,9,10 and 35(a) are brought into force in relation to Wales<sup>(2)</sup>.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(3)</sup>.

8 June 2004

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

---

(1) 2003 c. 33  
(2) Sections 19 and 35(c) relate only to Wales.  
(3) 1998 c. 38.

**Status:** This is the original version (as it was originally made).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

---

## EXPLANATORY NOTE

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

This Order brings into force the provisions of sections 4, 5, 9, 10, 19 and 35 (a) and (c) of the Waste and Emissions Trading Act 2003. Sections 4, 5, 9, 10 and 35(a) are brought into force only in relation to Wales.

Section 4 of the Act requires the National Assembly for Wales to make among waste disposal authorities in Wales, for each scheme year, an allocation of allowances authorising the sending of biodegradable municipal waste to landfills.

Section 5 of the Act allows the Assembly to alter the allocations made under section 4.

Section 9 of the Act imposes on waste disposal authorities a duty not to exceed the allowance set under section 4 and renders them liable to a penalty for failure to meet this duty.

Section 10 of the Act requires the Assembly to appoint a monitoring authority for Wales.

Section 19 of the Act requires the Assembly to have a strategy for reducing the amount of biodegradable waste from Wales that goes to landfills and the amount of biodegradable waste from outside Wales that goes to landfills in Wales.

Section 35 (a) and (c) repeals the provisions of the Environmental Protection Act 1990 and the Local Government Act 2000 relating to duties to prepare recycling plans in Wales.

The Waste and Emissions Trading Act 2003 (Commencement No.1) Order 2004 (S.I.2004/1163) brought into force sections 2 and 39 of the Act.