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WELSH STATUTORY INSTRUMENTS

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**2011 No. 971**

**The Waste (Miscellaneous Provisions) (Wales) Regulations 2011**

**Title, commencement and extent**

1.—(1) The title of these Regulations is the Waste (Miscellaneous Provisions) (Wales) Regulations 2011.

(2) These Regulations—

- (a) come into force on 29 March 2011; and
- (b) apply in relation to Wales.

**Amendment of the Hazardous Waste (Wales) Regulations 2005**

2. The Schedule, which provides for amendment of the Hazardous Waste (Wales) Regulations 2005(1), has effect.

**Amendment of the Landfill Allowances Scheme (Wales) Regulations 2004**

3. In regulation 2(1) of the Landfill Allowances Scheme (Wales) Regulations 2004(2), in the definition of “waste facility” (“*cyfleuster gwastraff*”), for “Article 1(e) and (f) of Council Directive 75/442/EEC on waste”, substitute “Article 3(19) and (15) of Directive 2008/98/EC of the European Parliament and of the Council on waste”.

**Amendment of the List of Wastes (Wales) Regulations 2005**

4.—(1) The List of Wastes (Wales) Regulations 2005(3) are amended as follows.

(2) In regulation 2—

(a) for sub-paragraph (a) of paragraph (1), substitute—

““the Waste Directive” (“*y Gyfarwyddeb Wastraff*”) means Directive 2008/98/EC of the European Parliament and of the Council on waste”;

(b) for sub-paragraph (c) of paragraph (1), substitute—

“(c) a reference to hazardous properties is a reference to the properties set out in Annex III to the Waste Directive.”;

(c) for sub-paragraph (b) of paragraph (2), substitute—

“(b) “the List of Wastes” (“*y Rhestr Wastraffoedd*”) means the list of wastes set out in the Annex to the List of Wastes Decision and a reference to the List of Wastes includes a reference to its introduction (“the Introduction to the List”).”.

(3) In regulation 4—

(a) before “properties”, insert “hazardous”;

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(1) S.I. 2005/1806 (W.138) amended by S.I. 2006/937, 2007/3538, 2009/2861 and 2010/675.

(2) S.I. 2004/1490 (W.155), to which there are amendments not relevant to these Regulations.

(3) S.I. 2005/1820 (W.148).

(b) omit “of Annex III”.

(4) Omit paragraphs 1 and 2 of Schedule 2.

**Amendment of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005**

5. In regulation 2(1) of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005<sup>(4)</sup>, for the definition of “Waste Strategy for Wales” (“*Strategaeth Wastraff Cymru*”) substitute—

““Waste Strategy for Wales” (“*Strategaeth Wastraff Cymru*”) means the national waste management plan within the meaning of the Waste (England and Wales) Regulations 2011, known by that name and prepared by the Welsh Ministers;”.

**Amendment of the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009**

6. In Schedule 2 to the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009<sup>(5)</sup>, in paragraph 3(1), for the words from “Directive 2006/12/EC” to the end, substitute “Directive 2008/98/EC of the European Parliament and of the Council on waste”.

**Revocation of the Environmental Protection (Duty of Care) (Amendment) (Wales) Regulations 2003**

7. The Environmental Protection (Duty of Care) (Amendment) (Wales) Regulations 2003<sup>(6)</sup> are revoked.

28 March 2011

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<sup>(4)</sup> S.I. 2005/2839 (W.203).

<sup>(5)</sup> S.I. 2009/995 (W. 81).

<sup>(6)</sup> S.I. 2003/1720 (W.187).