



# Environment (Wales) Act 2016

2016 anaw 3

## PART 4

### COLLECTION AND DISPOSAL OF WASTE

#### *Disposal of waste*

#### **66 Prohibition on disposal of food waste to sewer**

(1) In the Environmental Protection Act 1990, after section 34C insert—

*“Wales: disposal of food waste*

#### **34D Prohibition on disposal of food waste to sewer**

- (1) An occupier of premises in Wales must not—
  - (a) discharge food waste produced on or brought onto the premises, or
  - (b) knowingly cause or knowingly permit food waste produced on or brought onto the premises to be discharged,into a public sewer or a sewer or drain communicating with a public sewer.
- (2) Subsection (1) does not apply to an occupier of premises within paragraph (a) or (b) of section 75(5) (domestic property and caravans).
- (3) A person commits an offence if, without reasonable excuse, the person contravenes subsection (1).
- (4) A person who commits an offence under subsection (3) is liable on summary conviction, or on conviction on indictment, to a fine.
- (5) In subsection (1)—

“food waste” means controlled waste that—

*Status: Point in time view as at 06/04/2024.*

*Changes to legislation: There are currently no known outstanding effects for the Environment (Wales) Act 2016, Section 66. (See end of Document for details)*

- (a) has at any time been food (which for this purpose does not include drink) intended for human consumption, or
- (b) is biodegradable waste arising from the processing or preparation of food or drink,

but does not include waste that is mixed with water or any other liquid as a result of the water or liquid having been used to clean any place or equipment used in processing or preparing food or drink;

“drain”, “public sewer” and “sewer” have the meanings given in section 219(1) of the Water Industry Act 1991.

- (6) The Welsh Ministers may by regulations—
  - (a) provide for subsection (1) to apply only in circumstances specified in the regulations;
  - (b) make provision (which may include provision amending this section) for subsection (1) to apply subject to exceptions in addition to those in subsection (2);
  - (c) amend the definition of “food waste” in subsection (5).
- (7) Regulations under subsection (6)(a) or (b) may make different provision for different purposes, different cases (including different persons, premises or types of food waste) and different areas.”

(2) In section 118 of the Water Industry Act 1991 (c. 56)—

- (a) in subsection (1), after “trade premises” insert “ in England ”;
- (b) after subsection (1) insert—

“(1A) Subject to the following provisions of this Chapter and section 34D of the Environmental Protection Act 1990, the occupier of any trade premises in Wales in the area of a sewage undertaker may discharge any trade effluent proceeding from those premises into the undertaker's public sewers if the occupier does so with the undertaker's consent.”

**Commencement Information**

**II** S. 66 in force at 6.4.2024 by S.I. 2023/1096, art. 3

**Status:**

Point in time view as at 06/04/2024.

**Changes to legislation:**

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