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STATUTORY INSTRUMENTS

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**1994 No. 1056**

**The Waste Management Licensing Regulations 1994**

**Amendment of the Controlled Waste Regulations 1992**

- 24.—(1) The Controlled Waste Regulations 1992(1) shall be amended as follows.
- (2) In regulation 1(2)—
- (a) after the definition of “construction”, there shall be inserted the following—
- ““Directive waste” has the meaning given by regulation 1(3) of the Waste Management Licensing Regulations 1994;”;
- (b) in the definition of “part residential subjects”, for “section 26(1) of the Abolition of Domestic Rates etc.(Scotland) Act 1987(2)” there shall be substituted “section 99(1) of the Local Government Finance Act 1992(3)”.
- (3) In regulation 2(1), for “Subject to paragraph (2),” there shall be substituted “Subject to paragraph (2) and regulations 3 and 7A,”.
- (4) In regulation 5(1), for “regulation 7” there shall be substituted “regulations 7 and 7A”.
- (5) In regulation 5(2)(b), for “regulation 7(1)(c)” there shall be substituted “regulation 7(1)(a) or (c)”.
- (6) In regulation 6, for “regulation 7” there shall be substituted “regulations 7 and 7A”.
- (7) At the end of regulation 7, there shall be added—
- “(3) Animal by-products which are collected and transported in accordance with Schedule 2 to the Animal By-Products Order 1992(4) shall not be treated as industrial waste or commercial waste for the purposes of section 34 (duty of care etc.as respects waste).
- (4) In this regulation, “animal by-products” has the same meaning as in article 3(1) of the Animal By-Products Order 1992.”
- (8) After regulation 7, the following shall be inserted—
- “Waste not to be treated as household, industrial or commercial waste**
- 7A.** For the purposes of Part II of the Act, waste which is not Directive waste shall not be treated as household waste, industrial waste or commercial waste.”.
- (9) In paragraphs 8(b) and 11(a) of Schedule 3 and paragraph 9 of Schedule 4, in each place after “section 22(3) of the Control of Pollution Act 1974(5)” there shall be inserted “or section 25(2) of the Local Government and Planning (Scotland) Act 1982(6)”.

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(1) S.I.1992/588, amended by S.I. 1993/566.  
(2) 1987 c. 47.  
(3) 1992 c. 14.  
(4) S.I. 1992/3303.  
(5) 1974 c. 40.  
(6) 1982 c. 43.