



Environment Act 2021

2021 CHAPTER 30

PART 3

WASTE AND RESOURCE EFFICIENCY

Managing waste

61 Hazardous waste: Northern Ireland

- (1) The Waste and Contaminated Land (Northern Ireland) Order 1997 ([S.I. 1997/2778 \(N.I. 19\)](#)) is amended as follows.
- (2) In Article 30 (special provision with respect to hazardous waste)—
 - (a) in paragraph (1), for the words from “regulations” to “disposal” substitute “the Department may, by regulations, make provision for, about or connected with the regulation”;
 - (b) in paragraph (2)—
 - (i) before sub-paragraph (a) insert—

“(za) prohibiting or restricting the treatment, keeping or disposal of hazardous waste or any other activity in relation to such waste.”;
 - (ii) in sub-paragraph (a), after “hazardous waste” insert “or any other activity in relation to such waste”;
 - (iii) after sub-paragraph (g) insert—

“(h) for, about or connected with the imposition of civil sanctions.”;
 - (c) after that paragraph insert—

“(2A) For the purposes of this Article “civil sanction” means a sanction of a kind for which provision may be made under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (fixed monetary penalties, discretionary requirements, stop notices and enforcement undertakings).

Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Section 61. (See end of Document for details)

- (2B) The regulations may include provision for, about or connected with the imposition of a sanction of that kind whether or not—
- (a) the conduct in respect of which the sanction is imposed constitutes an offence, or
 - (b) the person imposing it is a regulator for the purposes of Part 3 of the Regulatory Enforcement and Sanctions Act 2008.”;
- (d) after paragraph (3) insert—
- “(3A) The regulations may make consequential, supplementary, incidental, transitional or saving provision.”
- (3) In Article 82 (regulations etc) after paragraph (1C) (as inserted by section 59) insert—
- “(1D) Paragraph (1) does not apply to regulations made by the Department under Article 30 that provide for conduct to be subject to a civil sanction (within the meaning given by Article 30(2A)) which is not subject to a civil sanction under existing regulations under that Article.
- (1E) Regulations to which paragraph (1) does not apply by virtue of paragraph (1D) may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.”

Commencement Information

- I1** S. 61 not in force at Royal Assent, see [s. 147\(6\)](#)
I2 [S. 61](#) in force at 28.2.2022 by [S.R. 2022/54](#), [art. 2\(1\)\(j\)](#)

Changes to legislation:

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