

---

STATUTORY INSTRUMENTS

---

**1994 No. 1056**

**The Waste Management Licensing Regulations 1994**

**Exclusion of activities under other control regimes from waste management licensing**

**16.**—(1) Subject to paragraph (2) below, section 33(1)(a), (b) and (c) of the 1990 Act shall not apply in relation to the carrying on of any of the following activities—

- (a) the recovery or disposal of waste under an authorisation granted under Part I of the 1990 Act where the activity is or forms part of a process designated for central control under section 2(4) of the 1990 Act;
- (b) the disposal of waste under an authorisation granted under Part I of the 1990 Act where the activity is or forms part of a process within paragraph (a) of Part B of Section 5.1 (incineration) of Schedule 1 to the 1991 Regulations insofar as the activity results in releases of substances into the air;
- (c) the disposal of liquid waste under a consent under Chapter II of Part III of the Water Resources Act 1991<sup>(1)</sup> or under Part II of the Control of Pollution Act 1974<sup>(2)</sup>; and
- (d) the recovery or disposal of waste where the activity is or forms part of an operation which is for the time being either—
  - (i) the subject of a licence under Part II of the Food and Environment Protection Act 1985<sup>(3)</sup>; or
  - (ii) carried on in circumstances where such a licence would be required but for an order under section 7 of that Act.

(2) Paragraph (1)(a) and (b) above does not apply insofar as the activity involves the final disposal of waste by deposit in or on land.

---

<sup>(1)</sup> 1991 c. 57.

<sup>(2)</sup> 1974 c. 40.

<sup>(3)</sup> 1985 c. 48; Part II is amended by sections 146 and 147 of, and Part VIII of Schedule 16 to, the 1990 Act.