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SCHEDULE 5

REGISTRATION OF BROKERS OF CONTROLLED WASTE

PART II

FORM OF APPLICATION FOR REGISTRATION AS A BROKER OF CONTROLLED WASTE

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Please read the guidance notes before completing this form

1. Full name of applicant (*note 1*)
Former name (if applicable)
Date of birth (if applicable)

2. Name under which applicant carries on business (if different from 1)

3. Address for correspondence

4. Address of principal place of business (if different from 3)

5. Telephone/Telex/Fax number

6. If applicant has previously been a registered broker give:
(a) registration number or numbers
(b) name of waste regulation authority or authorities

7. If applicant is a company registered under the Companies Act, give:
(a) company's registered number
(b) address of registered office
(c) in the case of a company incorporated outside Great Britain, the country in which it was incorporated

8. If applicant is a registered company or other body corporate, for each director, manager, secretary or other similar officer, give:

Full name	Position held	Address	Date of birth

9. If applicant is a prospective partner in a business carried on by a partnership whose members are already registered brokers, give:
(a) full name of partnership
(b) registration number of partnership

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10. Has the applicant or another relevant person (*note 2*) been convicted of any offence listed in regulation 3 of the Waste Management Licensing Regulations 1994 (*notes 3 and 4*)?

Yes No

If Yes, give full details of each offence—

<i>Full name of person convicted</i>	<i>Position held</i>	<i>Name of Court</i>	<i>Date of conviction</i>	<i>Offence and penalty imposed</i>

If details of any conviction have been given, use the following space to provide the waste regulation authority with any additional information which you wish the authority to take into account in determining whether or not it is undesirable for the applicant to be authorised to arrange (as dealer or broker) for the disposal or recovery of controlled waste on behalf of other persons

11. If the applicant is already a registered carrier of controlled waste, does he want his registration as a broker to expire on the same date as that on which his registration as a carrier expires (instead of lasting for 3 years)?

Yes No

12. Is the applicant or another company in the same group (within the meaning of section 53(1) of the Companies Act 1989) the holder of a waste management licence?

Yes No

If Yes, give details of licence:

<i>Full name of holder of licence</i>	<i>Date of birth (if applicable)</i>	<i>Date of issue of licence</i>	<i>Name of authority which issued the licence</i>

Declaration

I declare that I have personally checked the information given in this application form and that it is true to the best of my knowledge, information and belief. I understand that registration may be refused if false or incomplete information is given and that untrue statements may result in prosecution and could lead to revocation of registration.

Signature:

Date:

Position held:

Have you enclosed the fee of £95 (or where you are already a registered carrier of controlled waste, £25)? (*note 5*) Yes

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GUIDANCE NOTES

1. In the case of a partnership or proposed partnership, each partner must apply for registration and his details must be included in this application form.

2. Details of an offence listed in regulation 3 of the Waste Management Licensing Regulations 1994 must be given if the applicant was convicted of the offence or if the person convicted of the offence ("the relevant person")–

- (a) committed it in the course of his employment by the applicant;
- (b) committed it in the course of the carrying on of any business by a partnership one of the members of which was the applicant;
- (c) was a body corporate and at the time when the offence was committed the applicant was a director, manager, secretary or other similar officer of that body;
- (d) was a director, manager, secretary or other similar officer of the applicant (where the applicant is a body corporate);
- (e) was a body corporate and at the time when the offence was committed a director, manager, secretary or other similar officer of the applicant held such an office in the body corporate which committed the offence.

3. The offences listed in regulation 3 of the Waste Management Licensing Regulations 1994 are offences under any of the following provisions–

- section 22 of the Public Health (Scotland) Act 1897;
- section 95(1) of the Public Health Act 1936;
- section 3, 5(6), 16(4), 18(2), 31(1), 32(1), 34(5), 78, 92(6) or 93(3) of the Control of Pollution Act 1974;
- section 2 of the Refuse Disposal (Amenity) Act 1978;
- the Control of Pollution (Special Waste) Regulations 1980;
- section 9(1) of the Food and Environment Protection Act 1985;
- the Transfrontier Shipment of Hazardous Waste Regulations 1988;
- the Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1988;
- section 1, 5, 6(9) or 7(3) of the Control of Pollution (Amendment) Act 1989;
- section 107, 118(4) or 175(1) of the Water Act 1989;
- section 23(1), 33, 34(6), 44, 47(6), 57(5), 59(5), 63(2), 69(9), 70(4), 71(3) or 80(4) of the Environmental Protection Act 1990;
- section 85, 202 or 206 of the Water Resources Act 1991;
- section 33 of the Clean Air Act 1993.

4. Details of a conviction need not be given where under the terms of the Rehabilitation of Offenders Act 1974 the conviction is spent.

5. The fee of £95 (or, if you are already a registered carrier of controlled waste, £25) must be sent with the application. The regulation authority may refuse the application if the fee is not enclosed.