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STATUTORY INSTRUMENTS

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**1996 No. 972**

**The Special Waste Regulations 1996**

**Consignment notes etc.: duty of consignee not accepting delivery of a consignment**

**10.**—(1) This regulation applies where the consignee does not accept delivery of a consignment of special waste.

(2) In a case to which this regulation applies the requirements of regulation 5(4) (including that paragraph as applied in cases to which regulation 6 applies) or 8(7), as the case may be, shall not apply to the consignee.

(3) If, in a case to which this regulation applies, copies of the consignment note have been given to the consignee he shall—

- (a) indicate on Part E of each copy that he does not accept the consignment and the reasons why he does not accept the consignment;
- (b) retain one copy;
- (c) ensure that one copy, accompanied by one copy of any carrier's schedule given to him in accordance with regulation 8, are furnished forthwith to the Agency for the place to which the special waste has been transported; and
- (d) ensure that the other copy is returned to the carrier forthwith.

(4) If, in a case to which this regulation applies, no copies of the consignment note have been given to the consignee he shall ensure that a written explanation of his reasons for not accepting delivery, including such details of the consignment and of the carrier as are known to him, is furnished forthwith to the Agency for the place to which the special waste has been transported.

(5) In a case to which this regulation applies—

- (a) on being informed that the consignee will not accept delivery of the consignment, the carrier shall inform the Agency and seek instructions from the consignor;
- (b) the consignor shall forthwith inform the carrier and the Agency of his intentions as regards the consignment; and
- (c) the carrier shall take all reasonable steps to ensure that the consignor's intentions are fulfilled.

(6) For the purposes of paragraph (5), the consignor may propose one of the following, namely—

- (a) the delivery of the consignment to the premises from which it had been collected;
- (b) the delivery of the consignment to the premises at which it had been produced;
- (c) the delivery of the consignment to other specified premises in respect of which there is held any waste management licence necessary to authorise the receipt of the waste.