
STATUTORY INSTRUMENTS

2005 No. 894

The Hazardous Waste (England and Wales) Regulations 2005

PART 8

THE AGENCY'S FUNCTIONS

Inspections of hazardous waste producers

56. It is the duty of the Agency to carry out appropriate periodic inspections of hazardous waste producers.

Inspections of collection and transport operations

57.—(1) In relation to the appropriate periodic inspections of collection and transport operations which are required to be conducted pursuant to Article 13 of the Waste Directive by the Agency⁽¹⁾, without prejudice to the generality of the requirement to conduct such inspections, it is the duty of the Agency insofar as the inspections relate to hazardous waste to conduct the inspections so that they cover more particularly the origin and destination of the hazardous waste.

(2) In paragraph (1), “collection and transport operations” includes operations where the hazardous waste is transported following transfer between different carriers.

Agency to retain registers etc

58. The Agency shall retain registers and any accompanying records sent to it pursuant to regulation 51(3) for a period of not less than three years commencing with the receipt thereof by the Agency.

Fees

59.—(1) Section 41 of the 1995 Act (power to make schemes imposing charges) is amended as follows.

(2) For subsection (1)(c) substitute—

“(c) as a means of recovering costs incurred by it in performing functions conferred by regulations made for the purpose of implementing Council Directive [91/689/EEC](#) the Agency may require the payment to it of such charges as may from time to time be prescribed;”.

(3) Schedule 9 has effect to make provision in relation to fees to be charged by the Agency in connection with these Regulations until a charging scheme made under section 41 of the 1995 Act to recover the costs incurred by the Agency in performing functions under these Regulations takes effect.

(1) See paragraph 13 of Schedule 4 to the 1994 Regulations.

Provision of information to the Secretary of State

60.—(1) The Agency shall inform the Secretary of State each year of any changes in the following information for every establishment or undertaking which carries out disposal or recovery of hazardous waste principally on behalf of third parties and which is likely to form part of the integrated network referred to in Article 5 of the Waste Directive—

- (a) name and address;
- (b) the method used to treat waste; and
- (c) the types and quantities of waste which can be treated.

(2) The Agency shall provide the information required by paragraph (1) in the format provided for pursuant to the fourth paragraph of Article 8(3) of the Hazardous Waste Directive.