
STATUTORY INSTRUMENTS

2005 No. 894

The Hazardous Waste (England and Wales) Regulations 2005

PART 1

GENERAL

The List of Wastes

4.—(1) In these Regulations—

“the List of Wastes Decision” means Commission Decision [2000/532/EC](#)(1) of 3rd May 2000 replacing Decision [94/3/EC](#) establishing a list of wastes pursuant to Article 1(a) of Council Directive [75/442/EEC](#) on waste and Council Decision [94/904/EC](#) establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive [91/689/EEC](#) on hazardous waste, as amended by amendments thereto which have effect from time to time in relation to England pursuant to the List of Wastes Regulations;

“the List of Wastes Regulations” means the List of Wastes (England) Regulations 2005(2); and

“the List of Wastes” means the list of wastes set out in the List of Wastes Decision as it is from time to time set out in the List of Wastes Regulations, being the list referred to in the first indent of Article 1(4) of the Hazardous Waste Directive drawn up on the basis of Annexes I and II, having one or more of the properties listed in Annex III, taking account of the origin and composition of the waste and, where necessary, limit values of concentration.

(2) A reference in these Regulations in relation to any waste to—

(a) being “listed as a waste” and “listed as a hazardous waste” refers to that waste being listed as a waste, or as a hazardous waste, as the case may be, in the List of Wastes, provided, in the case of a waste to which a limit value of concentration applies, it shall only be considered to be listed as a hazardous waste where the relevant limit value of concentration is satisfied;

(b) being “not listed as hazardous” refers to that waste being not listed as a hazardous waste in the List of Wastes, whether or not it is listed as a waste, and whether or not it is otherwise a hazardous waste pursuant to these Regulations;

and cognate expressions shall be construed accordingly.

(1) OJNo. L 226, 6.9.2000, p. 3.

(2) S.I.2005/895.