
STATUTORY INSTRUMENTS

2005 No. 894

The Hazardous Waste (England and Wales) Regulations 2005

PART 6

MOVEMENT OF HAZARDOUS WASTE

Rejected consignments

Further consignment note for rejected consignment

43.—(1) This regulation applies to the removal of any consignment following rejection by the consignee^{F1}....

(2) Before the consignment or part is moved from the original place for delivery, the hazardous waste producer or holder identified in the relevant part of the original consignment note shall ensure that a copy of a new consignment note is prepared in respect of the rejected consignment or part for each of the following—

- (a) the hazardous waste producer;
- (b) where the hazardous waste producer or holder is not the consignor, the consignor;
- (c) the carrier; and
- (d) the new consignee.

(3) The producer or holder shall—

- (a) complete Parts A and B on each copy of the note as follows—
 - (i) the information required to complete Part A should be copied from the original consignment note, including the relevant consignment code to which the letter “R” shall be added to the end;
 - (ii) the new consignee's name and address (including the postcode) shall be entered in Part A4; and
 - (iii) subject to paragraph (4), the relevant information from the original consignment note shall (where part of the load is rejected, in so far as it relates to that part) be copied to Part B; and

(b) give every copy to the carrier.

(4) Where the consignee who rejected the consignment or part states in his written explanation that the description of the waste in the original consignment note is incorrect, the producer or holder shall instead include an accurate description of the waste in the new consignment note.

(5) The carrier shall complete Part C on each copy.

(6) The producer or holder identified in the relevant part of the original consignment note shall—

- (a) complete Part D on each copy;
- (b) where the producer or holder is not the consignor, give one copy to the producer or holder as the case may be; and

- (c) give every remaining copy to the carrier.
- (7) The carrier shall ensure that every copy of the new consignment note which he has received—
 - (a) travels with the rejected consignment or part; and
 - (b) is given to the new consignee on delivery of the consignment or part.
- (8) The new consignee shall—
 - (a) complete Part E on both copies of the new consignment note; and
 - (b) give one copy to the carrier.
- (9) Where there is to be more than one carrier—
 - (a) in paragraphs (3)(b), (5) and (6)(c), references to the carrier shall be treated as references to the first carrier;
 - (b) in paragraphs (2)(c) and (7) references to the carrier shall be treated as references to each carrier;
 - (c) in paragraph (7)(b), in relation to a carrier who is not the final carrier, the reference to “the new consignee” shall be treated as a reference to “the subsequent carrier”; and
 - (d) in paragraph (8)(b) the reference to the carrier shall be treated as a reference to the final carrier.

Textual Amendments

- F1** Words in [reg. 43\(1\)](#) omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011 \(S.I. 2011/988\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 15](#) (with [regs. 2, 47\(2\)](#))

Changes to legislation:

There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, Section 43.