
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England, disapply the duties imposed by section 32(1) to (7) of the Waste and Emissions Trading Act 2003 (requiring the waste disposal and collection authorities of areas where the waste disposal authority is not also a waste collection authority to have a joint municipal waste management strategy) from several categories of waste authorities which comply with specified conditions.

Regulation 2 sets out these categories. Regulation 3 provides for the duration of the various disapplications.

Regulation 2(a) refers to waste collection authorities categorised as excellent or 4 stars in an order made under section 99(4) of the Local Government Act 2003. At the time of making these Regulations, the only order in force made under that subsection is the Local Authorities (Categorisation) (England) Order 2006 ([SI 2006/3096](#)). Regulation 2(b)(i) and (c) refers to an order under section 4(1) of the Local Government Act 1999. At the time of making these Regulations, the relevant order is the Local Government (Best Value) Performance Indicators and Performance Standards (England) Order 2005 ([SI 2005/598](#)).

Regulation 4 modifies the application of section 32(1) to (7) of the Waste and Emissions Trading Act 2003 so as to restrict the duties in respect of a joint municipal waste management strategy to those waste authorities which do not qualify for a disapplication under regulation 2.

Regulation 5 revokes the Joint Municipal Waste Management Strategies (Disapplication of Duties) (England) Regulations 2004.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.