
STATUTORY INSTRUMENTS

2020 No. 1455

ENVIRONMENTAL PROTECTION

The International Waste Shipments (Amendment of Regulation (EC) No 1013/2006) Regulations 2020

Made - - - - 7th December 2020
Laid before Parliament 8th December 2020
Coming into force in accordance with regulation 2

The Secretary of State makes these Regulations in exercise of the power conferred by Article 58(1) (a) of Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste⁽¹⁾.

Citation

1. These Regulations may be cited as the International Waste Shipments (Amendment of Regulation (EC) No 1013/2006) Regulations 2020.

Commencement

2. These Regulations come into force on the day after that on which IP completion day falls.

Amendments to Regulation (EC) No 1013/2006

3. Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste is amended as follows.

Amendments to Annex IC

- 4.—(1) Annex IC is amended as follows.
- (2) In paragraph 25(e), omit “, B3010”.
- (3) In paragraph 25(f)—
- (a) for “two” substitute “three”;
 - (b) for “Y46 and Y47” substitute “Y46, Y47 and Y48”.

(1) Article 58 of Regulation (EC) No 1013/2006 as it forms part of domestic law on and after IP completion day (see section 3 of the European Union (Withdrawal) Act 2018 (c. 16)) was amended by S.I. 2019/473 so that the power contained in that Article is now vested in the Secretary of State.

Amendments to Annex III

- 5.—(1) Annex III is amended as follows.
- (2) In the footnote to the title, for “originates from” substitute “is no longer the same as the list in”.
- (3) In Part 1, omit point (g).
- (4) In Part 2, in the Table, omit the entry for GH013.

Amendment to Annex IIIA

6. In Annex IIIA, in paragraph 3, omit points (d) to (f).

Amendments to Annex IV

- 7.—(1) Annex IV is amended as follows.
- (2) In the footnote to the title, for “originates from” substitute “is no longer the same as the list in”.
- (3) In Part 1, after point (d) insert—
- “*(e) Basel entry A3210 does not apply and entry AC300 in Part II applies instead when appropriate.*”
- (4) Part 2 is amended as follows.
- (5) In the Table following the heading “Wastes containing principally organic constituents, which may contain metals and inorganic materials”, after the entry for AC270 insert—

“AC300	Plastic waste, including mixtures of such wastes, containing or contaminated with OECD Decision, Appendix 1 constituents to an extent that it exhibits an OECD Decision, Appendix 2 characteristic”
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- (6) In the Table following the heading “Wastes containing principally inorganic constituents, which may contain metals and organic materials”, after the entry for RB020 insert—

“Y48	<p>Plastic waste, including mixtures of such waste, with the exception of the following:</p> <ul style="list-style-type: none"> • Plastic waste classified under (OECD) entry AC300 in Annex IV, Part 2(2) • Plastic waste listed below, provided it is destined for recycling/reclamation in an environmentally sound manner and almost free from contamination and other types of wastes: <ul style="list-style-type: none"> —Plastic waste almost exclusively consisting of one nonhalogenated polymer, including but not limited to the following polymers: <ul style="list-style-type: none"> o Polyethylene (PE) o Polypropylene (PP) o Polystyrene (PS) o Acrylonitrile butadiene styrene (ABS)
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(2) See regulation 7(5).

o Polyethylene terephthalate (PET)

o Polycarbonates (PC)

o Polyethers

—Plastic waste almost exclusively consisting of one cured resin or condensation product including, but not limited to the following resins:

o Urea formaldehyde resins

o Phenol formaldehyde resins

o Melamine formaldehyde resins

o Epoxy resins

o Alkyd resins

—Plastic waste, except post-consumer waste, almost exclusively consisting of one of the following fluorinated polymers:

o Perfluoroethylene/propylene (FEP)

o Perfluoro alkoxyl alkane

o Tetrafluoroethylene/per fluoro vinyl ether (PFA)

o Tetrafluoroethylene/per fluoro methylvinyl ether (MFA)

o Polyvinylfluoride (PVF)

o Polyvinylidene fluoride (PVDF)

—Mixtures of plastic wastes, consisting of polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET), provided they are destined for separate recycling/reclamation of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes

In this entry, “recycling/reclamation” means either of the following, as evidenced by contractual or relevant official documentation—

(a) the recycling/reclamation of organic substances which are not used as solvents, or

(b) if needed, temporary storage limited to one operation, provided that it is followed by the recycling/reclamation of organic substances which are not used as solvents”

Amendments to Annex V

8.—(1) Annex V is amended as follows.

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(2) Part 1 is amended as follows.

(3) In List A, in section A3, after the entry for A3200—

“A3210 Plastic waste, including mixtures of such wastes, containing or contaminated with Basel Convention, Annex I constituents to an extent that it exhibits a Basel Convention, Annex III characteristic.”

(4) In List B, in section B3, for the entry for B3010 substitute—

“B3011 Plastic waste listed below, provided it is destined for recycling/reclamation in an environmentally sound manner and almost free from contamination and other types of wastes:

—Plastic waste almost exclusively consisting of one nonhalogenated polymer, including but not limited to the following polymers:

- o Polyethylene (PE)
- o Polypropylene (PP)
- o Polystyrene (PS)
- o Acrylonitrile butadiene styrene (ABS)
- o Polyethylene terephthalate (PET)
- o Polycarbonates (PC)
- o Polyethers

—Plastic waste almost exclusively consisting of one cured resin or condensation product including, but not limited to the following resins:

- o Urea formaldehyde resins
- o Phenol formaldehyde resins
- o Melamine formaldehyde resins
- o Epoxy resins
- o Alkyd resins

—Plastic waste, except post-consumer waste, almost exclusively consisting of one of the following fluorinated polymers:

- o Perfluoroethylene/propylene (FEP)
- o Perfluoro alkoxyl alkane
- o Tetrafluoroethylene/per fluoro vinyl ether (PFA)

o Tetrafluoroethylene/per fluoro methylvinyl ether (MFA)

o Polyvinylfluoride (PVF)

o Polyvinylidene fluoride (PVDF)

—Mixtures of plastic wastes, consisting of polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET), provided they are destined for separate recycling/reclamation of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes.

In this entry, “recycling/reclamation” means either of the following, as evidenced by contractual or relevant official documentation—

(a) the recycling/reclamation of organic substances which are not used as solvents, or

(b) if needed, temporary storage limited to one operation, provided that it is followed by the recycling/reclamation of organic substances which are not used as solvents.”

7th December 2020

Rebecca Pow
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement changes to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (adopted on 22nd March 1989)(3).

In May 2019, the Conference of the Parties to the Basel Convention adopted decision BC-14/12 by which it amended Annexes II, VIII and IX to the Convention in relation to plastic waste(4).

Regulation (EC) No 1013/2006 as it forms part of domestic law on and after IP completion day (see section 3 of the European Union (Withdrawal) Act 2018 (c. 16)), which implements the Basel Convention in respect of the United Kingdom, is amended by these Regulations as follows:

Annex IC is amended by regulation 4 to remove a defunct reference to plastic waste classified as B3010, which is no longer a classification used in the Basel Convention, and to include a reference to plastic wastes classified as Y48, which has been added to Annex II to that Convention.

Annex III is amended by regulation 5 to remove defunct references to plastic wastes classified as B3010 and GH013, which are also no longer classifications used in the Basel Convention.

Annex IIIA is amended by regulation 6 to remove defunct references to plastic wastes classified as B3010.

Annex IV is amended by regulation 7 to add plastic wastes classified as:

- (a) AC300, which is the OECD Decision equivalent of classification A3210 which has been added to Annex VIII to the Basel Convention, and
- (b) Y48, which has been added to Annex II to the Basel Convention.

Annex V is amended by regulation 8 to add plastic wastes classified as A3210 and B3011, which have been added to Annexes VIII and II to the Basel Convention respectively.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector may be seen alongside this instrument at www.legislation.gov.uk or obtained by writing to Customer Contact Unit, Seacole Building, 2 Marsham Street, London, SW1P 4DF, United Kingdom.

(3) The consolidated text of the Basel Convention may be seen here: <http://www.basel.int/TheConvention/Overview/TextoftheConvention/tabid/1275/Default.aspx>

(4) Decision BC-14/12 may be seen here: <http://www.basel.int/Implementation/Plasticwaste/Decisions/tabid/6069/Default.aspx>