

SCHEDULE 11

Regulation 73

CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO PRIMARY LEGISLATION

The Environmental Protection Act 1990

1. The Environmental Protection Act 1990 is amended as follows.
2. In section 75 (as amended by the Hazardous Waste (England and Wales) Regulations 2005)^{M1}—
 - (a) in subsection (8A) for paragraph (b) substitute—

“(b) in the application of this Part to Wales, means any waste which is a hazardous waste for the purposes of the Hazardous Waste (Wales) Regulations 2005.”;
 - (b) subsection (8B) is omitted.

Marginal Citations

M1 OJ No L 196, 16. 8. 1967, p. 1.

The Waste and Emissions Trading Act 2003

3. The Waste and Emissions Trading Act 2003^{M2} is amended as follows.

Marginal Citations

M2 OJ No L 259, 15. 10. 1979, p. 10.

4. In section 25(2), for “for the purpose of Council Directive [91/689/EEC](#)” substitute “ within the meaning of regulation 6 of the Hazardous Waste (Wales) Regulations 2005 ”.

PART 2

AMENDMENTS TO SECONDARY LEGISLATION

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991

- ^{F1}5.

Textual Amendments

F1 [Sch. 11 paras. 5-8](#) omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), [Sch. para. 34](#)

- ^{F1}6.

Changes to legislation: There are currently no known outstanding effects for the *The Hazardous Waste (Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)*

Textual Amendments

- F1** Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

The Environmental Protection (Duty of Care) Regulations 1991

F17.

Textual Amendments

- F1** Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F18.

Textual Amendments

- F1** Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

The Environmental Protection (Prescribed Processes and Substances) Regulations 1991

9. The Environmental Protection (Prescribed Processes and Substances) Regulations 1991 ^{M3} are amended as follows.

Marginal Citations

- M3** OJ No. L310, 03.12.1994 p.70.

10. In Section 5.1 of Chapter 5 of Schedule 1—

- (a) in the definition of “exempt hazardous waste incineration plant”—
 - (i) in paragraph (ii) for “Annex II to Directive [91/689/EEC](#) on hazardous waste” substitute “Schedule 2 of the Hazardous Waste (Wales) Regulations 2005”;
 - (ii) in paragraph (iii) for “Annex III to Directive [91/689/EEC](#) on hazardous waste” substitute “Schedule 3 of the Hazardous Waste (Wales) Regulations 2005”;
- (b) in the definition of “hazardous waste”—
 - (i) in the opening words, for “Article 1(4) of Directive [91/689/EEC](#)” substitute “regulation 6 of the Hazardous Waste (Wales) Regulations 2005”; and
 - (ii) in sub-paragraph (i)(b) and paragraph (v), for “in Annex II to Directive [91/689/EEC](#)” substitute “in Schedule 2 to the Hazardous Waste (Wales) Regulations 2005”.

Waste Management Licensing Regulations 1994

F211.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F212.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F213.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F214.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F215.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F216.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F217.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F218.

Changes to legislation: There are currently no known outstanding effects for the The Hazardous Waste (Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F219.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F220.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F221.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F222.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F223.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F224.

Textual Amendments

F2 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F225.

Textual Amendments

- F2** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of *The Waste (Miscellaneous Provisions) (Wales) Regulations 2011* (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999

^{F3}**26.**

Textual Amendments

- F3** Sch. 11 para. 27 revoked (1.3.2016) by *The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016* (S.I. 2016/58), reg. 1(2), **Sch. 8** (with regs. 59, 60(2))

^{F3}**27.**

Textual Amendments

- F3** Sch. 11 para. 27 revoked (1.3.2016) by *The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016* (S.I. 2016/58), reg. 1(2), **Sch. 8** (with regs. 59, 60(2))

Environmental Protection (Disposal of Polychlorinated Biphenyls and Dangerous Substances)(England and Wales) Regulations 2000

28. The Environmental Protection (Disposal of Polychlorinated Biphenyls and Dangerous Substances) (England and Wales) Regulations 2000 ^{M4} are amended as follows.

Marginal Citations

- M4** 2003 c. 33.

29. For regulation 11(3), substitute the following—

“(3) Subject to paragraphs (5) and (7), the Agency shall keep a register specifying the quantity, origin, nature and PCB content of used PCBs in respect of which—

- (a) copies of consignment notes specifying that information are furnished to it under regulations 5(4), 8(7) or 9(3) of the Special Waste Regulations 1996; or
- (b) quarterly returns specifying that information are furnished to it under regulation 53 of the Hazardous Waste (Wales) Regulations 2005,

and which in either case have been furnished by a person in the course of a business concerned with the disposal of PCBs.”

Pollution Prevention and Control (England and Wales) Regulations 2000

30. The Pollution Prevention and Control (England and Wales) Regulations 2000 ^{M5} (which extend to England and Wales) are amended as follows.

Marginal Citations

M5 [S.I. 1991/1624](#); [Schedule 1](#) was amended by [S.I. 1994/1137](#), 1996/972, 2000/1973.

31. In Chapter 5 of Schedule 1—

- (a) in the definition of “hazardous waste” in the paragraph headed “Interpretation of Section 5.1” of Section 5.1—
 - (i) in the opening words for “Article 1(4) of Directive [91/689/EEC](#) on hazardous waste” substitute “ regulation 6 of the Hazardous Waste (Wales) Regulations 2005 ”; and
 - (ii) in paragraph (a)(ii) for “Annex II to Directive [91/689/EEC](#) on hazardous waste” substitute “ Schedule 2 of the Hazardous Waste (Wales) Regulations 2005 ”;
- (b) in paragraph 1 of the paragraph headed “Interpretation of Part A(1)” of Section 5.3 for the definition of “hazardous waste”, substitute “ “hazardous waste” means any waste as defined for the time being in regulation 6 of the Hazardous Waste (Wales) Regulations 2005. ”; and
- (c) in the paragraph headed “Interpretation of Part A(1)” of Section 5.4 insert the following after paragraph 3—

“4. In this Part, hazardous waste means any waste as defined in regulation 6 of the Hazardous Waste (Wales) Regulations 2005.”.

Chemicals (Hazard Information and Packaging for Supply) Regulations 2002

32. The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 ^{M6} are amended as follows.

Marginal Citations

M6 [S.I. 1991/2839](#); as amended by [S.I.2002/1559](#), 2003/63.

33. In regulation 3(3)(e), for “Special Waste Regulations 1996” substitute “ Hazardous Waste (Wales) Regulations 2005 ”.

Landfill (England and Wales) Regulations 2002

34. The Landfill (England and Wales) Regulations 2002 ^{M7} are amended as follows.

Marginal Citations

M7 [S.I. 1991/472](#); relevant amendments are contained in [S.I.1998/767](#).

35. In Regulation 7(2) for “Hazardous waste means any waste as defined in Article 1(4) of Directive [91/689/EEC](#) (hazardous waste).” substitute “ Hazardous waste means any waste as defined in regulation 6 of the Hazardous Waste (Wales) Regulations 2005. ”.

36. For paragraph 2(a) of Schedule 1, substitute “ (a) it is a hazardous waste as defined in the Hazardous Waste (Wales) Regulations 2005; and ”.

37. For paragraph 3(1)(a) of Schedule 1, substitute “ (a) it is a hazardous waste as defined in the Hazardous Waste (Wales) Regulations 2005; and ”.

Changes to legislation: There are currently no known outstanding effects for the The Hazardous Waste (Wales) Regulations 2005, SCHEDULE 11. (See end of Document for details)

38. For paragraph 3(1)(b) of Schedule 1, substitute “ (b) it is a non-hazardous waste as defined in the Hazardous Waste (Wales) Regulations 2005. ”.

39. For paragraph 5(1)(g) of Schedule 1, substitute—

“(g) in the case of hazardous waste, the relevant properties which render it hazardous as listed in Schedule 3 of the Hazardous Waste (Wales) Regulations 2005;”.

Packaging (Essential Requirements) Regulations 2003

40. The Packaging (Essential Requirements) Regulations 2003 ^{M8} are amended as follows.

Marginal Citations

M8 [S.I. 1999/293](#), to which there are amendments not relevant to these Regulations.

^{F4}**41.**

Textual Amendments

F4 [Sch. 11 para. 41](#) revoked (1.10.2015) by [The Packaging \(Essential Requirements\) Regulations 2015 \(S.I. 2015/1640\)](#), [reg. 1](#), [Sch. 6](#) (with [reg. 3\(5\)](#))

Changes to legislation:

There are currently no known outstanding effects for the The Hazardous Waste (Wales) Regulations 2005, SCHEDULE 11.