

Hazardous Waste (Control of Export, Import and Transit) Regulations 1998

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No. S 71

HAZARDOUS WASTE (CONTROL OF EXPORT, IMPORT AND TRANSIT) ACT (CHAPTER 122A)

HAZARDOUS WASTE (CONTROL OF EXPORT, IMPORT AND TRANSIT) REGULATIONS 1998

In exercise of the powers conferred by sections 17, 19 and 48 of the Hazardous Waste (Control of Export, Import and Transit) Act 1997, the Minister for the Environment hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Hazardous Waste (Control of Export, Import and Transit) Regulations 1998 and shall come into operation on 16th March 1998.

Definitions

2. In these Regulations, unless the context otherwise requires —

“variation”, in relation to a permit, includes a variation of the permit conditions imposed on the permit;

“variation application” means an application under regulation 21 for the variation of a permit.

PART II

APPLICATIONS FOR AND GRANT OF PERMITS

Applications for import permits

3.—(1) A person who has one or more import proposals in relation to hazardous or other waste may apply to the Director for a permit authorising the import of the waste.

(2) The application shall —

- (a) be in the form approved by the Director; and
- (b) set out, or be accompanied by, such information relating to the proposals as is required by the form.

(3) The application may deal with 2 or more import proposals in relation to hazardous or other waste only if —

- (a) the following matters are common to each proposal:
 - (i) the physical and chemical characteristics of the waste;
 - (ii) the route over which the waste is to be transported; and
 - (iii) the sender of the waste;
- (b) the proposals constitute a regular pattern; and
- (c) the proposals will all be carried out within 12 months of each other.

Applications for export permits

4.—(1) A person who —

- (a) wants to export hazardous or other waste; and
- (b) has an export proposal in relation to the waste,

may apply to the Director for a permit to export the waste.

(2) The application shall —

- (a) be in the form approved by the Director; and
- (b) set out, or be accompanied by, such information relating to the proposals as is required by the form.

(3) The application may deal with 2 or more export proposals in relation to hazardous

or other waste only if —

- (a) the following matters are common to each proposal:
 - (i) the physical and chemical characteristics of the waste;
 - (ii) the route over which the waste is to be transported; and
 - (iii) the recipient of the waste;
- (b) the proposals constitute a regular pattern; and
- (c) the proposals will all be carried out within 12 months of each other.

Applications for transit permits

5.—(1) A person who has one or more transit proposals in relation to hazardous or other waste may apply to the Director for a permit to carry out the proposals.

(2) The application shall —

- (a) be in the form approved by the Director; and
- (b) set out, or be accompanied by, such information relating to the proposals as is required by the form.

(3) The application may deal with 2 or more transit proposals in relation to hazardous or other waste only if —

- (a) the following matters are common to each proposal:
 - (i) the physical and chemical characteristics of the waste;
 - (ii) the route over which the waste is to be transported; and
 - (iii) the sender and recipient of the waste;
- (b) the proposals constitute a regular pattern; and
- (c) the proposals will all be carried out within 12 months of each other.

Basel permit or special permit

6.—(1) An application under regulation 3, 4 or 5 shall state that the applicant is applying for —

- (a) a Basel permit; or