

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

Table of Contents

Part I PRELIMINARY

1 Citation

2 Definitions

Part II APPLICATIONS FOR AND GRANT OF PERMITS

3 Applications for import permits

4 Applications for export permits

5 Applications for transit permits

6 Basel permit or special permit

7 Variation of applications for permits

8 Further information may be requested

9 Grant of import permits and export permits

10 Grant of transit permits

11 Determination of whether applicant has appropriate insurance

12 Applicant to be notified of decision

13 Matters to be specified in import permits

14 Matters to be specified in export permits

15 Matters to be specified in transit permits

16 Permits may be granted subject to conditions

17 Furnishing of information by permit holder

Part III REVOCATION, SURRENDER AND VARIATION OF PERMITS

18 Revocation of permits

19 Surrender of permits

20 Variation of permits

21 Applications for variations of permits

22 Further information may be requested

23 Making of variations

24 Applicants to be notified of decisions

Part IV ORDERS BY DIRECTOR IN RELATION TO HAZARDOUS AND OTHER WASTES

25 Orders where section 25 of Act contravened

26 Orders where section 26 of Act contravened

27 Orders where section 27 of Act contravened

28 Orders to remedy or mitigate damage

29 Failure to comply with order

30 Director may take action and recover costs

31 Orders authorising import of exported hazardous or other waste where it cannot be dealt with as intended

Part V MISCELLANEOUS

32 Fees

33 Modification or waiver in relation to special permit

THE SCHEDULE Fees

Legislative History

HAZARDOUS WASTE (CONTROL OF EXPORT, IMPORT AND TRANSIT) ACT (CHAPTER 122A, SECTIONS 17, 19 AND 48)

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

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PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Hazardous Waste (Control of Export, Import and Transit) Regulations.

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
- (b) a special permit under a specified set of Article 11 regulations.