STATUTORY INSTRUMENTS

2016 No. 738

ENVIRONMENTAL PROTECTION

The Waste (Meaning of Recovery) (Miscellaneous Amendments) Regulations 2016

Made - - - -	*11th July 2016*
Laid before Parliament	*12th July 2016*
Coming into force - -	*3rd August 2016*

The Secretary of State makes these Regulations in exercise of the powers conferred by—

(a) in relation to regulations 8 and 10, section 2(2) of the European Communities Act 1972 [F1] ("the 1972 Act") and section 2 of, and Schedule 1 to, the Pollution Prevention and Control Act 1999 [F2] ("the 1999 Act"), and

(b) otherwise, section 2(2) of the 1972 Act.

The Secretary of State has in accordance with section 2(4) of the 1999 Act consulted—

(a) the Environment Agency;

(b) such bodies or persons appearing to the Secretary of State to be representative of the interests of local government, industry, agriculture and small businesses as the Secretary of State considers appropriate; and

(c) such other bodies or persons as the Secretary of State considers appropriate.

The Secretary of State is a Minister designated for the purposes of section 2(2) of the 1972 Act in relation to the environment [F3].

F1 1972 c.68; section 2(2) was amended by section 27(1) of the Legislative and Regulatory Reform Act 2006 (c.51), and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).

F2 1999 c.24; section 2 was amended by section 62(13) of the Water Act 2014 (c.21) and by S.I. 2013/755 (W.90). Schedule 1 was amended by section 38 of the Waste and Emissions Trading Act 2003 (c.33), by section 105(1) of the Clean Neighbourhoods and Environment Act 2005 (c.16), and by S.I. 2005/925, 2011/1043, 2012/2788 and 2015/664.

F3 S.I. 2008/301.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Waste (Meaning of Recovery) (Miscellaneous Amendments) Regulations 2016 and come into force on 3rd August 2016.

(2) Subject to paragraph (3), an amendment made by these Regulations has the same extent and application as the provision amended.

(3) Regulations 8 and 10 do not apply to Wales.

Amendment of the Environmental Protection Act 1990

2. In section 33(13) of the Environmental Protection Act 1990 [F4], for "Annex I or II of Directive 2008/98/EC of the European Parliament and of the Council on waste" substitute " Annex I or II of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste [F5] ".

F4 1990 c.43; section 33(13) was inserted by S.I. 2007/3538 and amended by S.I. 2011/988.
F5 OJ No L 312, 22.11.2008, p 3, as last amended by Commission Directive (EU) 2015/1127 (OJ No L 184, 11.07.15, p 13).

Amendment of the Marine and Coastal Access Act 2009

3. In section 75(5) of the Marine and Coastal Access Act 2009 [F6], for "Directive 2008/98/EC of the European Parliament and of the Council of 18 November 2008 on waste" substitute " Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste ".

F6 2009 c.23; section 75(5) was inserted by S.I. 2011/405.

Amendment of the End-of-Life Vehicles Regulations 2003

4. In regulation 2 of the End-of-Life Vehicles Regulations 2003 [F7], for the definition of "the Waste Directive", substitute—

> ""the Waste Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste".

F7 S.I. 2003/2635, amended by S.I. 2011/988; there are other amending instruments but none is relevant.

Amendment of the End-of-Life Vehicles (Producer Responsibility) Regulations 2005

5. In regulation 2 of the End-of-Life Vehicles (Producer Responsibility) Regulations 2005 [F8], for the definition of "the Waste Directive" substitute—

> ""the Waste Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste".

F8 S.I. 2005/263, amended by S.I. 2011/988; there are other amending instruments but none is relevant.

Amendment of the Hazardous Waste (England and Wales) Regulations 2005

6. In regulation 2(1) of the Hazardous Waste (England and Wales) Regulations 2005 [F9], for sub-paragraph (a) substitute—

> "(a) "the Waste Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste;".

F9 S.I. 2005/894; relevant amending instruments are S.I. 2011/988 and 2015/1360.

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations 2007

7. In regulation 2(1) of the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 [F10], for the definition of "the Waste Directive" substitute—

> ""the Waste Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste;".

F10 S.I. 2007/871, amended by S.I. 2011/988; there are other amending instruments but none is relevant.

Amendment of the Environmental Permitting (England and Wales) Regulations 2010

8. In regulation 3 of the Environmental Permitting (England and Wales) Regulations 2010 [F11], for the definition of "the Waste Framework Directive" substitute—

> ""the Waste Framework Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste;".

F11 S.I. 2010/675, amended by S.I. 2015/1360; there are other amending instruments but none is relevant.

Amendment of the Marine Licensing (Exempted Activities) Order 2011

9. In article 3 of the Marine Licensing (Exempted Activities) Order 2011 [F12], for the definition of "the Waste Framework Directive" substitute—

> ""the Waste Framework Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste".

F12 S.I. 2011/409, to which there are amendments not relevant to these Regulations.

Amendment of the Waste (England and Wales) Regulations 2011

10. In regulation 3(1) of the Waste (England and Wales) Regulations 2011 [F13], for the definition of "the Waste Framework Directive" substitute—

> ""the Waste Framework Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste;".

F13 S.I. 2011/988, to which there are amendments not relevant to these Regulations.

Amendment of the Climate Change Agreements (Eligible Facilities) Regulations 2012

11. In regulation 2 of the Climate Change Agreements (Eligible Facilities) Regulations 2012 [F14], for the definition of "the Waste Framework Directive" substitute—

> ""the Waste Framework Directive" means Directive 2008/98/EC of the European Parliament and of the Council on waste;".

F14 S.I. 2012/2999, to which there are amendments not relevant to these Regulations.