STATUTORY RULES OF NORTHERN IRELAND

2017 No. 202

ENVIRONMENTAL PROTECTION

The Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2017

Made - - - - 29th September 2017

Coming into operation 1st November 2017

The Department of Agriculture, Environment and Rural Affairs, in exercise of the powers conferred by Article 3(3)(a) of the Waste and Contaminated Land (Northern Ireland) Order 1997(**1**), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2017 and shall come into operation on 1st November 2017.

Amendment to the Waste Management Licensing Regulations (Northern Ireland) 2003

2. In the Waste Management Licensing Regulations (Northern Ireland) 2003(**2**) for Schedule 6 substitute—

"SCHEDULE 6 Regulation 2

Prescribed Offences

1. The offences to be regarded as prescribed offences for the purposes of Article 3(3)(a) of the 1997 Order are listed in Tables 1-3—

(**1**) S.I. 1997/2778 (N.I. 19). Relevant amending Regulations are S.R. 2003 No.489, S.R. 2006 No.280, S.R. 2007 No.611, S.R. 2009 No.254, 2011 c.5, S.R. 2011 No.127 and S.R. 2015 No.14

(**2**) S.R. 2003 No.493. Relevant amendments S.R. 2011 No. 127

Table 1

Relevant Environmental Offences

Number	*Offence(s)*
1.	Articles 33(4) and 36(1) of and paragraph 9 of Schedule 5, paragraph 5(a) and paragraph 9(2) of Schedule 6 and Part 1, paragraph 14(5) of Schedule 7 to the Drainage (Northern Ireland) Order 1973(**3**)
2.	Articles 29(1) and 72(3) of the Pollution Control and Local Government (Northern Ireland) Order 1978(**4**)
3.	Articles 4(6), 5(8), 5E(7), 5E(9), 6(7), 12(12), 12(13), 15(5A), 18(1), 18(2), 21(6), 22(6), 27(5), 28(5), 29(3), 31(2), 38(1), 42(4), 44(2), 74(1), 74(2) and 74(3) of the Waste and Contaminated Land (Northern Ireland) Order 1997
4.	Articles 7(1), 7(4), 12(3), 19(1), 28(3) and 29 of the Water (Northern Ireland) Order 1999(**5**)
5.	Regulations 12(1), 12(2), 12(3) and 12(4) of the Environmental Protection (Disposal of Polychlorinated Biphenyls and Other Dangerous Substances) Regulations (Northern Ireland) 2000(**6**)
6.	Articles 20(1), 20(2) and 20(3) of the Environment (Northern Ireland) Order 2002(**7**)
7.	Regulation 12 of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003(**8**)
8.	Regulations 31, 42(1) and 42(2) of the End of Life Vehicles Regulations 2003(**9**)
9.	Regulations 18(1) and 22(1) of and paragraphs 12(1), 12(2), 14(5), 14(7) and 14(8) of Part 1 of Schedule 3 to the Waste Management Licensing Regulations (Northern Ireland) 2003
10.	Regulation 17(1) of the Landfill Regulations (Northern Ireland) 2003(**10**)
11.	Regulations 43(1), 43(4) and 43(5) of the Hazardous Waste Regulations (Northern Ireland) 2005(**11**)
12.	Regulation 6(1) of the Radioactive Contaminated Land Regulations (Northern Ireland) 2006(**12**)

(**3**) S.R. 1973 No.69 (N.I. 1)
(**4**) 1978 No. 1049 (N.I. 19)
(**5**) 1999/662 (N.I. 6) as amended by S.I. 2006/1946 (N.I. 15)
(**6**) S.I. 2000/1043
(**7**) 2002/3153 (N.I. 7)
(**8**) S.R. 2003 No.319 as amended by S.R. 2014 No.307
(**9**) S.I. 2003/2635 as amended by S.I. 2005/263
(**10**) S.R. 2003 No.496
(**11**) S.R. 2005 No.300
(**12**) S.R. 2006 No.345

Number	*Offence(s)*
13.	Regulations 18(10), 24(1) and 24(2) of the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006(**13**)
14.	Regulations 40(1), 40(3), 40(4), 40(5), 40(6), 40(7) and 40(8) of the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007(**14**)
15.	Regulations 17, 18, 19(2), 21, 22(2), 23, 24(2), 25, 26, 31, 32(2), 36, 37(2), 38(2), 38(3), 38(4), 39(2), 40(2), 41(2), 42(2), 43, 44(2), 45(2), 52(1), 53, 54, 55 and 57 of the Transfrontier Shipment of Waste Regulations 2007(**15**)
16.	Regulation 42(1) of the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008(**16**)
17.	Regulations 89(1), 89(2), 89(3), 89(4), 89(5) and 89(6) of the Waste Batteries and Accumulators Regulations 2009(**17**)
18.	Regulations 9(3), 10(3), 17(4), 26(14) and 27 of the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009(**18**)
19.	Regulations 19(1), 24(3) and 25(3) of the Groundwater Regulations (Northern Ireland) 2009(**19**)
20.	Section 85(1) of the Marine and Coastal Access Act 2009(**20**)
21.	Regulation 24 of the Waste Regulations (Northern Ireland) 2011(**21**)
22.	Sections 42(6), 43(5), 76(9), 85(1), 85(5), 103(1), 109(3), 117(1), 126(1), 126(3), 127(1), 134(1), 134(5), 137(1), 146(9), 147(2), 149(5), 150(12), 152(9), 168(1), 168(6), 172(1), 175(2), 178(2), 178(5), 237(2), 237(3) and 240(3) of the Planning Act (Northern Ireland) 2011(**22**)
23.	Regulations 82(6), 89(10), 90(1), 90(2), 90(3), 90(4), 90(5), 90(6), 90(7), 90(8) and 90(9) of the Waste Electrical and Electronic Equipment Regulations 2013(**23**)
24.	Sections 32(1) and 33(1) of the Marine Act (Northern Ireland) 2013(**24**)

(**13**) S.R. 2006 No.518
(**14**) S.R. 2007 No.198
(**15**) S.I. 2007/1711
(**16**) S.I. 2008/3257 as amended by S.I. 2010/897
(**17**) S.I. 2009/890
(**18**) S.R. 2009 No.252
(**19**) S.R. 2009 No.254
(**20**) 2009 c.23 as amended by S.I. 2011/556 (c.19)
(**21**) S.R. 2011 No.127
(**22**) 2011 c.25. Relevant amending Regulations are S.R. 2015 No.25, S.R. 2015 No.39, S.R. 2015 No.49, S.R. 2015 No.61, S.R. 2015 No.84, S.R. 2015 No.344, S.R. 2016 No.76
(**23**) S.I. 2013/3113
(**24**) 2013 Chapter 10