STATUTORY RULES OF NORTHERN IRELAND

2015 No. 386

ENVIRONMENTAL PROTECTION

The Waste Management Licensing (Amendment No.2) Regulations (Northern Ireland) 2015

Made - - - -	*30th November 2015*
Coming into operation	*31st December 2015*

The Department of the Environment, in exercise of the powers conferred by Articles 3(3)(a) and 39(2)(a) of the Waste and Contaminated Land (Northern Ireland) Order 1997(**1**), makes the following Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Waste Management Licensing (Amendment No. 2) Regulations (Northern Ireland) 2015 and shall come into operation on 31st December 2015.

Amendment of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999

2.—(1) The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999(**2**) are amended in accordance with paragraphs (2) and (3)—

(2) In regulation 1(2) for the definition of "prescribed offences" substitute—

""prescribed offences" means an offence under regulation 2 of the 2003 Regulations;".

(3) Schedule 1 is revoked.

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

3.—(1) The Waste Management Licensing Regulations (Northern Ireland) 2003(**3**) are amended in accordance with paragraphs (2) and (3)—

(2) For regulation 2 substitute—

"**2.** Schedule 6 has effect to prescribe offences for the purposes of Article 3(3)(a) of the 1997 Order.".

(**1**) S.I. 1997/2778 (N.I. 19) as amended
(**2**) S.R. 1999 No.362 relevant amendments S.R. 2003 No. 493, S.R. 2006 No. 280 and S.R. 2011 No. 127
(**3**) S.R. 2003 No. 493 as amended

(3) After Schedule 5 insert—

"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—

Table 1

Relevant Environmental Offences

Number	*Offence(s)*
1.	Articles 33(4) and 36(1) of and paragraph 9 of Schedule 5, paragraph 5 and paragraph 9(2) of Schedule 6 and Part 1, paragraph 14 of Schedule 7 to the Drainage (Northern Ireland) Order 1973
2.	Articles 29 and 72(3) of the Pollution Control and Local Government (Northern Ireland) Order 1978
3.	Articles 4, 5(8), 5E(7), 5E(9), 6(7), 12(12), 12(13), 15(5A), 16(4), 18, 21(6), 22(6), 27(5), 28(5), 29(3), 31(2), 38(1), 42, 44(2) and 74 of the Waste and Contaminated Land (Northern Ireland) Order 1997
4.	Articles 7(1), 7(5), 12(3), 19(1), 28(3) and 29(1) of the Water (Northern Ireland) Order 1999
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.	Article 20 of the Environment (Northern Ireland) Order 2002
7.	Regulation 12 of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003
8.	Regulations 31, 42(1) and 42(2) of the End of Life Vehicles Regulations 2003
9.	Regulations 18(1) and 22(1) of and paragraphs 12(1), 12(2), 14(5), 14(7) and 14(8) of Part1 of Schedule 3 to the Waste Management Licensing Regulations (Northern Ireland) 2003
10.	Regulation 17(1) of the Landfill Regulations (Northern Ireland) 2003
11.	Regulations 13(1) and 16(3) of the Water Resources (Environmental Impact Assessment) Regulations (Northern Ireland) 2005
12.	Regulations 43(1), 43(3) and 43(5) of the Hazardous Waste Regulations (Northern Ireland) 2005
13.	Regulation 6(1) of the Radioactive Contaminated Land Regulations (Northern Ireland) 2006
14.	Regulations 18(10), 24(1) and 24(2) of the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006
15.	Regulation 40 of the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007

Number	*Offence(s)*
16.	Regulations 17, 18, 19, 21, 22, 23, 24, 25, 26, 31, 32, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 52, 53, 54, 55 and 57 of and paragraphs 4 and 5 of Schedule 1 and paragraph 6(3) of Part 1 of Schedule 5 to the Transfrontier Shipment of Waste Regulations 2007
17.	Regulation 42 of the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008
18.	Regulations 89(1), 89(2), 89(3), 89(4), 89(5) and 89(6) of the Waste Batteries and Accumulators Regulations 2009
19.	Regulations 9, 10, 17, 26 and 27 of the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009
20.	Regulations 19(1), 24(3) and 25(3) of the Groundwater Regulations (Northern Ireland) 2009
21.	Section 85 of the Marine and Coastal Access Act 2009
22.	Regulation 25 of the Nitrates Action Programme Regulations (Northern Ireland) 2010
23.	Regulation 24 of the Waste Regulations (Northern Ireland) 2011
24.	Articles 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
25.	Regulations 82(6), 89(10) and 90 of the Waste Electrical and Electronic Equipment Regulations 2013
26.	Sections 32(1) and 33(1) of the Marine Act (Northern Ireland) 2013
27.	Regulation 36 of the Pollution, Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

Table 2

Relevant Financial Offences

Number	*Offence(s)*
1.	Sections 24, 50, 64, 67, 68, 68A, 100, 129, 136, 159, 167, 168, 170, 170A and 170B of the Customs and Excise Management Act 1979
2.	Sections 1, 2, 3, 4, 5, 14, 15, 16, 17, 18 and 19 of the Forgery and Counterfeiting Act 1981
3.	Paragraphs 15(1), 15(3), 15(4), 15(5), 15(6) and 15(7) of Part IV of Schedule 5 to the Finance Act 1996
4.	Sections 1, 6, 7, 9, 11 and 12 of the Fraud Act 2006