STATUTORY RULES OF NORTHERN IRELAND

2015 No. 288

ENVIRONMENTAL PROTECTION

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

Made - - - -	*30th June 2015*
Coming into operation	*17th August 2015*

The Department of the Environment, being designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to measures relating to the prevention, reduction and eliminations of pollution caused by waste and in relation to the environment, makes these Regulations in exercise of the powers conferred upon it by that section and also in exercise of the powers conferred by paragraph 1A of Schedule 2 to that Act, makes the following Regulations.

These Regulations make provision for implementing an EU obligation and it appears to the Department that it is expedient for references to the List of Wastes set out in the Annex to Commission Decision 2000/532/EC; the European Waste Catalogue; and Annex III (properties of waste which render it hazardous) to Directive 2008/98/EC in the amendments made by regulations 2(2), 3(2), 4(2)(a), 5(2)(a), (3) and (4)(c) to be construed as references to that List, that Catalogue and that Annex as amended from time to time.

PART 1

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Hazardous Waste (Amendment No. 2) Regulations (Northern Ireland) 2015 and shall come into operation on 17th August 2015.

(**1**) S.I. 2008/301 and S.I. 1992/2870
(**2**) 1972 c.68

PART 2

Amendment of primary legislation

Amendment of the Waste and Contaminated Land (Northern Ireland) Order 1997

2.—(1) The Waste and Contaminated Land (Northern Ireland) Order 1997(**3**) are amended in accordance with paragraphs (2) and (3)—

(2) In Article 2 (General Interpretation) in paragraph 2 insert in the appropriate alphabetical order —

> ""List of Wastes" means the list of wastes set out in the Annex to Commission Decision 2000/532/EC(**4**), as amended from time to time and as also defined in regulation 5 of the Hazardous Waste Regulations (Northern Ireland) 2005(**5**)

(3) For paragraph 8(b)(ii) of Part 2 of Schedule 3 substitute—

"(ii) naturally occurring material falling within code 17 05 04 in the Annex to the List of Wastes,".

PART 3

Amendment of Subordinate Legislation

Amendment of the Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002

3.—(1) The Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002(**6**) are amended in accordance with paragraph (2)—

(2) In regulation 1(2) for "European Waste Catalogue" substitute—

> ""European Waste Catalogue" means the List of Wastes as set out in the Annex to Commission Decision 2000/532/EC, as amended from time to time and as also defined in regulation 5 of the Hazardous Waste Regulations (Northern Ireland) 2005;".

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

4.—(1) The Waste Management Licensing Regulations (Northern Ireland) 2003(**7**) are amended in accordance with paragraph (2)—

(2) In regulation 1 (Citation, commencement and interpretation)—

(a) For the definition of "European Waste Catalogue" substitute—

> ""European Waste Catalogue" means the List of Wastes as set out in the Annex to Commission Decision 2000/532/EC, as amended from time to time and as also defined in regulation 5 of the Hazardous Waste Regulations (Northern Ireland) 2005;".

(b) Paragraph (4A) is revoked; and

(c) For paragraph (5) substitute—

(**3**) S.I.1997/2778 (NI 19)
(**4**) The Decision in force at the date of making these Regulations is Commission Decision 2000/532/EC (O.J. No. L226, 6.9.2000, p.3) as amended by Commission Decision 2001/118/EC (O.J. No. 1047, 16.2.2001, p.1), 2001/119/EC (O.J. No. L047, 16.2.2001, p.32), 2001/573/EC (O.J. No. L203, 28.7.2001, p.18) and 2014/955/EU (O.J. No. L370, 30.12.2014, p.44)
(**5**) S.R. 2005 No. 3000 as amended
(**6**) S.R. 2002 No. 271 as amended
(**7**) S.R. 2003 No. 493 as amended