STATUTORY RULES OF NORTHERN IRELAND

2011 No. 232

ENVIRONMENTAL PROTECTION

The Waste (Fees and Charges etc.) (Amendment) Regulations (Northern Ireland) 2011

Made - - - -	*21st June 2011*
Coming into operation	*21st July 2011*

The Department of the Environment, being a Department 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 elimination of pollution caused by waste, makes the following Regulations in exercise of the powers conferred on it by sections 2(2) of that Act and Articles 38(3) and 39 of the Waste and Contaminated Land (Northern Ireland) Order 1997(**3**).

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Waste (Fees and Charges etc.) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 21st July 2011.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) applies to these Regulations as it applies to an Act of the Assembly.

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

2.—(1) The Waste Management Licensing Regulations (Northern Ireland) 2003(**5**) are amended in accordance with paragraphs (2) and (3)—

(2) In regulation 18 (registration in connection with exempt activities)—

(a) in paragraph (12)(a) for "£766" substitute "£785";

(b) in paragraph (12)(b) for "£556" substitute "£570"; and

(c) in paragraph (12)(c) for "£556" substitute "£570".

(3) In Schedule 4 (registration of brokers and dealers of controlled waste)—

(a) in paragraph (3)(10)(a) for "£126" substitute "£129";

(**1**) S.I.1992/2870
(**2**) 1972 c. 68
(**3**) S.I. 1997/2778 (N.I. 19) the relevant amendment is S.I. 2007/611 (N.I. 3)
(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 2003 No. 493 the relevant amendments are S.R. 2006 No. 280, S.R. 2006 No. 519, S.R. 2009 No. 159, S.R. 2010 No.84 and S.R. 2011 No. 127

(b) in paragraph (3)(10)(b) for "£63" substitute "£65"; and

(c) in paragraph (3)(10)(c) for "£30"" substitute "£32".

Amendment of the Waste Regulations (Northern Ireland) 2011

3.—(1) The Waste Regulations (Northern Ireland) 2011(**6**) are amended in accordance with paragraphs (2) to (4).

(2) Omit regulation 1(4).

(3) For regulation 28(4) substitute—

"(4) After regulation 2(1) insert—

(1A) The following persons shall not be required for the purposes of Article 38 of the 1997 Order to be registered as a carrier of controlled waste until after 31st December 2013—

(a) a person who, prior to 8th April 2011, was not required to be registered as a carrier of controlled waste for the purposes of these Regulations or paragraph 12(1) of Schedule 3 to the 2003 Regulations; or

(b) a person who, had they been a carrier of controlled waste prior to 8th April 2011, would not have been required to be registered for the purposes of these Regulations or paragraph 12(1) of Schedule 3 to the 2003 Regulations.".

(4) For regulation 30 substitute—

"**30.** For regulation 4(8) substitute—

(8) The Department shall charge an applicant, in respect of its consideration of their application—

(a) subject to sub-paragraph (c), in the case of either an application for registration as a carrier of controlled waste or a combined application for registration as both a carrier and a broker of controlled waste, £129;

(b) in the case of either an application for the renewal of registration as a carrier of controlled waste or a combined application for renewal of registration as both a carrier and a broker of controlled waste, £65;

(c) in the case of an application by a registered broker of controlled waste for registration as a carrier of controlled waste, £32;

and the applicant shall pay the charge when they make the application.

(8A) Paragraph (8) shall not apply to a specified person.".

(**6**) S.R. 2011 No. 127