
STATUTORY INSTRUMENTS

1988 No. 1562

**The Transfrontier Shipment of
Hazardous Waste Regulations 1988**

PART II

DUTIES OF HOLDERS OF HAZARDOUS WASTE

Multiple consignments to a third state

7.—(1) Where a holder intends, within any period of twelve months, to transport, or to cause or permit to be transported, more than one consignment of hazardous waste from Great Britain to a third state of destination and—

- (a) each such consignment will consist of hazardous waste having essentially the same physical and chemical characteristics;
- (b) each consignment is to be transported to the same consignee;
- (c) entry is to be made with Her Majesty's Commissioners of Customs and Excise at the same port in respect of each consignment; and
- (d) where the consignments are to be transported through any Member State of transit, clearance is to be sought at the same customs office of exit from that Member State,

regulation 6 shall not apply if, before the first consignment is removed from the premises at which it was produced, or at which it is stored, the holder has complied with the requirements of paragraph (2), and if, before each consignment is removed from the premises at which it was produced, or at which it is stored, the holder has complied with the requirements of paragraph (3).

(2) The requirements of this paragraph are that the holder has—

- (a) obtained the agreement of the third state of destination to the receipt of all the consignments in that country for disposal;
- (b) entered into a contract with the consignee for the disposal of all the consignments;
- (c) sent a consignment note, which comprises copies 1 and 2 completed with respect to the transport of all the consignments, and separate forms of copy 3 completed as respects each of the proposed consignments,
 - (i) where the consignments will pass through one or more Member States of transit, and that state or the last of those states exercises, under Article 4(2) of the Directive, the right to acknowledge such consignment notes or to object, to the competent authority of that state; or
 - (ii) in any other case, to the Secretary of State;
- (d) sent a photocopy of copy 1 of the completed consignment note to—
 - (i) where sub-paragraph (c)(i) applies, the Secretary of State;
 - (ii) the disposal authority for the area in which is situated the port through which the consignments are to leave Great Britain;

- (iii) where the consignments are to be transported through Northern Ireland, the Department of the Environment for Northern Ireland;
 - (iv) the competent authority of any Member State of transit;
 - (v) any third state of transit; and
 - (vi) the third state of destination;
- (e) received acknowledgement of the consignment note from the person to whom the completed consignment note was sent in accordance with sub-paragraph (c);
- (f) where sub-paragraph (c)(i) applies, either—
- (i) been informed by the Secretary of State that he has no objection; or
 - (ii) received no objection from the Secretary of State within the period of 20 days from the date on which he received a photocopy of copy 1 of the consignment note; and
- (g) complied with any conditions as to the supply of information about the consignments imposed under Article 5(2) of the Directive by—
- (i) the competent authority of any Member State of transit; and
 - (ii) where sub-paragraph (c)(ii) applies, the Secretary of State.
- (3) The requirements of this paragraph are that the holder has—
- (a) completed the appropriate copy 3 of the acknowledged consignment note and sent a photocopy of it to each of the relevant persons mentioned in paragraph (2)(c) and (d); and
 - (b) given the appropriate completed copy 3 to the carrier.