



# Waste (Wales) Measure 2010

## 2010 nawm 8

*[<sup>F1</sup>Disposal in a landfill or by incineration]*

### 9 Regulations prohibiting deposit of waste in a landfill

- (1) The Welsh Ministers may by regulations make provision for and in connection with prohibiting or otherwise regulating the deposit of specified kinds of waste in a landfill in Wales.
- (2) Regulations under subsection (1) may (among other things)—
  - (a) amend regulations made under section 2 of the Pollution Prevention and Control Act 1999 which relate to the operation of a landfill;
  - (b) provide for offences in relation to failure to comply with provision made under the regulations;
  - (c) provide for penalties in relation to such offences;
  - (d) provide for enforcement authorities and the functions of such authorities.
- (3) In subsection (1), “landfill” has the meaning given in Article 2(g) of Council Directive [1999/31/EC](#) of 26 April 1999 on the landfill of waste<sup>[<sup>F1</sup>]</sup>, as last amended by [<sup>F2</sup>Directive (EU) 2018/850]<sup>[<sup>F3</sup>]</sup>, and read as if —
  - (a) in Article 2—
    - (i) in point (a) the reference to the definition of ‘waste’ were omitted;
    - (ii) after point (a) there were inserted—
      - “(aa) ‘Waste’ has the meaning given in Article 3(1) of [Directive 2008/98/EC](#) (“the Waste Framework Directive”), as read with Articles 5 and 6 of that Directive.”;
  - (b) in Article 3—
    - (i) in paragraph (2) for “Without prejudice to existing Community legislation the” there were substituted “The”;
    - (ii) for paragraph (3) there were substituted—
      - “3. The management of extractive waste, within the meaning given in regulation 2(1) of the Environmental Permitting

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**Status:** Point in time view as at 18/10/2023.

**Changes to legislation:** There are currently no known outstanding effects for the Waste (Wales) Measure 2010, Section 9. (See end of Document for details)

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(England and Wales) Regulations 2016, is excluded from the scope of this Directive where it falls within the scope of Schedule 20, or paragraph 8(a) or (b) of Schedule 22, to those Regulations.”]

#### **Textual Amendments**

- F1** Words in s. 9(3) inserted (22.3.2019) by [The Waste \(Wales\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/414\)](#), regs. 1(2)(a), **2(2)**
- F2** Words in s. 9(3) substituted (19.11.2020) by [The Waste \(Wales\) \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/1179\)](#), regs. 1(2), **2(2)**
- F3** Words in s. 9(3) inserted (31.12.2020) by S.I. 2019/414, reg. 6(2) (as substituted by [The Waste \(Wales\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1339\)](#), regs. 1(3), **2(2)(a)**)

**Status:**

Point in time view as at 18/10/2023.

**Changes to legislation:**

There are currently no known outstanding effects for the Waste (Wales) Measure 2010, Section 9.