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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 300**

**The Hazardous Waste Regulations (Northern Ireland) 2005**

**PART 3**

**APPLICATION**

**Application of Regulations to domestic asbestos waste**

**13.**—(1) Subject to paragraphs (2) to (4) below and Regulation 14, these Regulations apply to hazardous waste including waste that was produced on or removed from premises in England, Scotland, Wales, or Gibraltar; or which is, or is to be, transported to a place in one of those jurisdictions, and to any consignment of waste transported on any ship in the internal waters and the territorial sea of the United Kingdom adjacent to Northern Ireland, whether or not the ship is registered in the United Kingdom, or if a United Kingdom registered ship, whether or not registered in Northern Ireland.

(2) Except as provided for in paragraphs (3) and (4) below these regulations apply to domestic asbestos waste, except in so far as the Regulations would, apart from this paragraph, impose obligations on a person to whom paragraph (3) applies.

(3) This paragraph applies to a person who is both the original producer of the domestic waste and who is either—

- (a) a person who resides at the domestic premises at which the asbestos waste arises; or
- (b) a person who is acting on behalf of such a person without reward.

(4) In the application of these Regulations to the asbestos waste—

- (a) not being domestic waste; and
- (b) produced in the course of any of the activities of construction, modification, repair and maintenance (including structural works) or demolition of domestic premises or any part thereof,

(5) These Regulations operate in relation to a domestic occupier who has engaged any person, other than a person mentioned in paragraph (3)(b), for the carrying out of any such activity so as to treat that person as the producer of the domestic asbestos waste to the exclusion of the occupier.