

2025 No. 18

ENVIRONMENTAL PROTECTION

**The Waste (Materials Facilities) Regulations (Northern Ireland)
2025**

Made - - - - - *6th February 2025*

Coming into operation *1st April 2025*

The Department of Agriculture, Environment and Rural Affairs makes these Regulations in exercise of the powers conferred by Article 6(6) of the Waste and Contaminated Land (Northern Ireland) Order 1997(a) and Article 4(1) and (3) of the Environment (Northern Ireland) Order 2002(b) and now vested in it(c).

In accordance with Article 4(4) of the Environment (Northern Ireland) Order 2002, the Department of Agriculture, Environment and Rural Affairs has consulted—

- (a) district councils and such bodies or persons appearing to it to be representative of the interests of district councils as it considers appropriate;
- (b) such bodies or persons appearing to it to be representative of the interests of industry, agriculture and business as it considers appropriate; and
- (c) such other bodies or persons as it considers appropriate.

Citation and commencement

1. These Regulations may be cited as the Waste (Materials Facilities) Regulations (Northern Ireland) 2025 and come into operation on 1st April 2025.

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

2. The Waste Management Licensing Regulations (Northern Ireland) 2003(d) are amended as follows—

(1) In regulation 1(3)—

(a) after the definition of “exempt activity” insert—

““fibre-based composite material” means packaging material which is made of paperboard or paper fibres, with a layer of plastic, and which may also have layers of other materials, to form a single unit that cannot be separated by hand;”;

(b) after the definition of “industrial battery or accumulator” insert—

(a) S.I. 1997/2778 (N.I. 19).

(b) S.I. 2002/3153.

(c) The Department of the Environment was dissolved by Section 1(9) of the Departments Act (Northern Ireland) 2016 and, by virtue of Article 8(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016, its functions for the purposes of these Regulations were transferred to the Department of Agriculture, Environment and Rural Affairs.

(d) S.R. 2003 No. 493 as amended by S.R. 2006 No. 519 and S.R. 2009 No. 159.

““materials facility” means—

- (a) a facility or part of a facility where waste material is received in order to—
 - (i) separate it into specified output material; or
 - (ii) consolidate it into bulk quantities (whether as a first point of consolidation for such waste or following the first consolidation of bulk quantities transferred from other suppliers);

for the purpose of selling it, or transferring it to other facilities or persons to enable that material to be prepared for re-use or recycling;

- (b) any reference to a “materials facility” excludes a facility or part of a facility—
 - (i) at which all the waste material received during a reporting period is attributable exclusively to a single supplier, unless the waste material so received is separated into specified output material at that facility;
 - (ii) that is provided pursuant to arrangements made under section 25(1)(b) of the Waste and Contaminated Land (Northern Ireland) Order 1997;
 - (iii) that undertakes the processing or sorting of waste electrical and electronic equipment, waste batteries or accumulators;

“Materials Facilities Code” means the Code of Practice on Sampling and Reporting at Materials Facilities issued by the Department on 31st January 2025;”;

- (c) after the definition of “scrap metal” insert—

““specified output material” means a batch of material (whether or not waste) that is—

- (a) produced from a separating process for waste material; and
- (b) made up of one or more of the following kinds of material—
 - (i) glass;
 - (ii) metal;
 - (iii) paper;
 - (iv) card;
 - (v) plastic;
 - (vi) fibre-based composite material;”;

- (d) after the definition of ““waste electrical and electronic equipment” or “WEEE”” insert—

““waste material” means waste that—

- (a) is household waste, or originates from a source other than household waste but is similar to household waste in terms of its nature or composition;
- (b) has been separately collected (whether as a single kind of material or two or more kinds of material mixed together) for the primary purpose of preparing it for re-use or recycling; and
- (c) consists (whether wholly or in part) of any of the following kinds of material—
 - (i) glass;
 - (ii) metal;
 - (iii) paper;
 - (iv) card;
 - (v) plastic;
 - (vi) fibre-based composite material;”.

- (2) After regulation 11D insert—

“Conditions of waste management licences: Materials facilities

11E. The Department shall ensure that any waste management licence granted or varied on or after 1st April 2025 authorising the treatment of waste material at a materials facility contains a condition requiring the holder of the licence to comply with the Materials Facilities Code.”.

Amendment of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

3. The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013(a) are amended as follows—

(1) In regulation 2(1)—

(a) after the definition of “existing medium combustion plant” insert—

““fibre-based composite material” means packaging material which is made of paperboard or paper fibres, with a layer of plastic, and which may also have layers of other materials, to form a single unit that cannot be separated by hand;”;

(b) after the definition of “landfill” insert—

““materials facility” means—

(a) a facility or part of a facility where waste material is received in order to—

- (i) separate it into specified output material; or
- (ii) consolidate it into bulk quantities (whether as a first point of consolidation for such waste or following the first consolidation of bulk quantities transferred from other suppliers);

for the purpose of selling it, or transferring it to other facilities or persons to enable that material to be prepared for re-use or recycling;

(b) any reference to a “materials facility” excludes a facility or part of a facility—

- (i) at which all the waste material received during a reporting period is attributable exclusively to a single supplier, unless the waste material so received is separated into specified output material at that facility;
- (ii) that is provided pursuant to arrangements made under section 25(1)(b) of the Waste and Contaminated Land (Northern Ireland) Order 1997;
- (iii) that undertakes the processing or sorting of waste electrical and electronic equipment, waste batteries or accumulators;

“Materials Facilities Code” means the Code of Practice on Sampling and Reporting at Materials Facilities issued by the Department on 31st January 2025;”;

(c) after the definition of “specified generator” insert—

““specified output material” means a batch of material (whether or not waste) that is—

- (a) produced from a separating process for waste material; and
- (b) made up of one or more of the following kinds of material—
 - (i) glass;
 - (ii) metal;
 - (iii) paper;
 - (iv) card;
 - (v) plastic;
 - (vi) fibre-based composite material;”;

(a) S.R. 2013 No.160 as amended by S.R. 2014 No. 304 and S.R. 2018 No. 33.

- (d) at the end of the definition of “waste incineration installation”, for “.”, substitute “;”;
- (e) after the definition of “waste incineration installation” insert—
 - “waste material” means waste that—
 - (a) is household waste, or originates from a source other than household waste but is similar to household waste in terms of its nature or composition;
 - (b) has been separately collected (whether as a single kind of material or two or more kinds of material mixed together) for the primary purpose of preparing it for re-use or recycling; and
 - (c) consists (whether wholly or in part) of any of the following kinds of material—
 - (i) glass;
 - (ii) metal;
 - (iii) paper;
 - (iv) card;
 - (v) plastic;
 - (vi) fibre-based composite material.”.
- (2) In regulation 10(2) for “or 15” substitute “,14A or 15”.
- (3) In regulation 12(1) for “15 and” substitute “14A, 15 and”.
- (4) After regulation 14, insert—

“Conditions of permits: Materials facilities

14A. The enforcing authority shall ensure that a permit granted or varied on or after 1st April 2025 authorising the operation of a materials facility contains a condition requiring the holder of the permit to comply with the Materials Facilities Code.”.

- (5) In regulation 19(1), for “and 14” substitute “, 14 and 14A”.
- (6) In regulation 19(4) for “and 17” substitute “,14A and 17”.

Sealed with the Official Seal of the Department of Agriculture Environment and Rural Affairs on 6th February 2025.



Shane Doris

A senior officer of the Department of Agriculture Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Waste Management Licensing Regulations (Northern Ireland) 2003 (“the 2003 Regulations”) and the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 (“the 2013 Regulations”). The amendments require the Department to ensure that appropriate conditions are included in waste management licences and PPC (IE) permits which authorise materials facilities so that the new Code of Practice on Sampling and Reporting at Materials Facilities issued by the Department of Agriculture, Environment and Rural Affairs on 31st January 2025 (the “Materials Facilities Code”) is complied

with. The Regulations insert new definitions of various terms relating to the materials facilities into the 2003 Regulations and the 2013 Regulations.

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