

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends various enactments to effect changes as a consequence of the amendment of Annex II to [Directive 2008/98/EC](#) of the European Parliament and of the Council on waste and repealing certain Directives (“the Waste Framework Directive”) (OJ L 312, 22.11.2008, p.3) by Commission Directive (EU) 2015/1127 (“the 2015 Directive”) (OJ L 184, 11.07.2015, p.13).

Article 3(15) of the Waste Framework Directive provides a definition of “recovery” of waste and makes reference to Annex II, which sets out a non-exhaustive list of recovery operations. The 2015 Directive amends Annex II to the Waste Framework Directive. The amendment makes provision for a climate correction factor to be applied to the energy efficiency formula used to calculate whether an incineration facility dedicated to the processing of municipal solid waste meets the energy efficiency threshold for being considered a recovery operation (operation “R1” in Annex II).

No business and regulatory impact assessment has been prepared for this Order as no significant change is foreseen to the existing impacts upon business, charities or voluntary bodies.