

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations transpose, for England and Wales, Directive [2008/98/EC](#) of the European Parliament and of the Council on waste (OJNo. L 312, 22.11.2008, p3).

Part 2 requires the establishment of waste prevention programmes and makes related provision.

Part 3 and Schedule 1 require waste management plans for England and Wales.

Part 4 and Schedule 1 make supplementary provision in relation to waste prevention programmes and waste management plans, including provision for public participation in their preparation and revision.

Part 5 imposes duties in relation to the improved use of waste as a resource. Regulation [12](#) requires the waste hierarchy in Article 4 of the Directive to be applied as a priority order. Regulations [13](#) and [14](#) apply from 1st January 2015 to require the separate collection of waste paper, metal, plastic and glass and prohibit mixing of those wastes once separately collected.

Part 6 imposes duties on planning authorities (defined in regulation [16\(3\)](#)) when exercising certain functions under the planning Acts (defined in regulation [16\(2\)](#)).

Part 7 imposes duties on authorities responsible for licensing deposits of waste at sea.

Part 8 makes provision in relation to carriers of waste and brokers and dealers in waste and Part 9 provides for the transfer note to be completed on the transfer of waste.

Part 10 provides for enforcement.

Part 11 and Schedules 2 to 4 make provision in relation to the reduction of administrative burden, radioactive waste and the amendment and revocation of other legislation.

A full impact assessment of the effect that this instrument will have on business, the voluntary sector and the public sector is available from the Waste Programme, Department for Environment, Food and Rural Affairs, Ergon House, Horseferry Road, London SW1P 2AL and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.