



Environmental Protection Act 1990

1990 CHAPTER 43

PART II

WASTE ON LAND

Collection, disposal or treatment of controlled waste

[^{F1}45AZA] England: separate collection of household waste from relevant non-domestic premises

- (1) This section applies in relation to arrangements for household waste to be collected from relevant non-domestic premises in England by a person who, in collecting the waste—
 - (a) is acting in the course of a business (whether or not for profit), or
 - (b) is exercising a public function (including a function under section 45(1)(a)).
- (2) The arrangements must meet the conditions in subsections (3) to (7) (subject to any provision in regulations under section 45AZC).
- (3) The first condition is that recyclable household waste must be collected separately from other household waste.
- (4) The second condition is that recyclable household waste must be collected for recycling or composting.
- (5) The third condition is that recyclable household waste in each recyclable waste stream must be collected separately, except so far as provided by subsection (6).
- (6) Recyclable household waste in two or more recyclable waste streams may be collected together where—
 - (a) it is not technically or economically practicable to collect recyclable household waste in those recyclable waste streams separately, or
 - (b) collecting recyclable household waste in those recyclable waste streams separately has no significant environmental benefit (having regard to the

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overall environmental impact of collecting it separately and of collecting it together).

(7) But recyclable household waste within subsection (10)(a) to (d) may not be collected together with recyclable household waste within subsection (10)(e).

(8) The person who presents household waste from the premises for collection under the arrangements must present it separated in accordance with the arrangements.

This subsection does not apply so far as the person is subject to an equivalent duty by virtue of a notice under section 46.

(9) Household waste is “recyclable household waste” if—

- (a) it is within any of the recyclable waste streams, and
- (b) it is of a description specified in regulations made by the Secretary of State.

(10) For the purposes of this section the “recyclable waste streams” are—

- (a) glass;
- (b) metal;
- (c) plastic;
- (d) paper and card;
- (e) food waste.

(11) For the purposes of this section “relevant non-domestic premises” means—

- (a) a residential home;
- (b) premises forming part of a university or school or other educational establishment;
- (c) premises forming part of a hospital or nursing home;
- (d) premises of a description specified in regulations made by the Secretary of State.

(12) Regulations under subsection (11)(d) may not specify domestic properties (within the meaning of section 75(5)(a)).]

Textual Amendments

F1 Ss. 45A-45AZG substituted for s. 45A (17.5.2024) by [Environment Act 2021 \(c. 30\)](#), **ss. 57(4)**, 147(3) (with s. 144); [S.I. 2024/639](#), **reg. 2(a)** (with regs. 5, 6, 7, [Sch.](#))

Modifications etc. (not altering text)

C1 [S. 45AZA](#) modified (30.6.2024) by [The Separation of Waste \(England\) Regulations 2024 \(S.I. 2024/666\)](#), **regs. 1(2)(5)**, **3(2)(4)**, **Sch. 1 Pts. 2-6**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)