



Environment Act 2021

2021 CHAPTER 30

PART 3

WASTE AND RESOURCE EFFICIENCY

Waste enforcement and regulation

67 Enforcement powers: Northern Ireland

- (1) Article 27 of the Waste and Contaminated Land (Northern Ireland) Order 1997 ([S.I. 1997/2778 \(N.I. 19\)](#)) (power to give directions) is amended as follows.
- (2) In paragraph (2) omit the words from “with a view” to the end.
- (3) After paragraph (2) insert—
 - “(2A) The Department may by notice—
 - (a) direct a registered carrier to collect controlled waste which is being kept in or on specified land and deliver it to a specified person on specified terms;
 - (b) direct any person who—
 - (i) is keeping controlled waste in or on any land, or
 - (ii) owns or occupies land in or on which controlled waste is being kept,to facilitate collection of the waste by a specified registered carrier to whom a direction in respect of the waste is given under sub-paragraph (a).”
- (4) In paragraph (3) for “paragraph (1) or (2)” substitute “this Article”.
- (5) In paragraph (4), for “of treating or disposing of” substitute “in relation to”.
- (6) After paragraph (4) insert—

Status: This is the original version (as it was originally enacted).

“(4A) A direction under paragraph (2A)(b) may require the person to whom it is given—

- (a) to pay to the specified registered carrier the reasonable costs of collecting and delivering the waste;
- (b) to pay to the specified person to whom the waste is delivered (“P”) the reasonable costs incurred by P in relation to the waste (including any costs P is required by a direction under this Article to pay to another person).”

(7) In paragraph (5) for “paragraph (1) or (2)” substitute “this Article”.

(8) In paragraph (6) for “paragraph (1) or (2)” substitute “this Article”.

(9) In paragraph (7) for the words from “, where” to the end substitute “pay any costs mentioned in paragraph (4) or (4A).”

(10) For paragraph (8) substitute—

“(8) In this Article—

“specified” means specified in a direction under this Article;

“registered carrier” means a person registered under Article 39 as a carrier of controlled waste.”