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## EXPLANATORY NOTE

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

These Regulations amend the Special Waste Regulations 1996 ([S.I. 1996/972](#)) (“the principal Regulations”), which make provision for handling special waste and for implementing Council Directive [91/689/EEC](#) on hazardous waste (OJ No. L.377, 31.12.1991, p. 20) (“the Directive”).

Regulation 2 of and Schedule 2 to the principal Regulations define special waste. These Regulations amend that definition by—

- clarifying and updating the cross-references to the approved supply list issued for the purposes of the Chemicals (Hazard Information and Packaging for Supply) Regulations 1994; those Regulations have been amended by the Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 1996 ([S.I. 1996/1092](#)) and a new (3rd) edition of the approved supply list has been issued and is available from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS;
- amending the definition of household waste (which is excluded from the definition of special waste).

Regulation 2 implements the definition of hazardous waste in the Directive and in particular in the list annexed to Council Decision [94/904/EC](#) (EC OJ No. L.356, 31.12.94, p. 14). The definition extends, in accordance with Article 4 of the Directive, to certain other waste considered by the United Kingdom to display particular hazardous properties.

Regulation 4 of the principal Regulations requires the Environment Agency (in relation to England and Wales) and the Scottish Environment Protection Agency (in relation to Scotland) (“the Agencies”) to give unique codes to be applied to consignments of waste. These codes are to be shown together with other required information on consignment notes which are to accompany the waste when transported. These Regulations amend regulation 4 to allow the Agencies to delay assignment of a code until payment of any fee required in respect of it. The provisions on codes do not implement any specific Community obligation.

Regulation 8 of the principal Regulations (which implements Community obligations arising under Article 5 of the Directive) makes special provision in respect of the documentation required in connection with “carrier’s rounds” in which special waste is collected from a number of consignors. These Regulations amend regulation 8 to provide for only one set of documents to be required in cases where waste of more than one description is collected on a carrier’s round.

Regulation 14 of the principal Regulations makes provision for the payment of fees in connection with the supply of codes under regulation 4. These Regulations provide that if a code is given before a fee is paid for it, the person who requested the code is to pay the fee within two months of that request. Regulation 14 does not implement a Community obligation.

The Regulations also make minor drafting amendments.