

**2004 No. 3027**

**ENVIRONMENTAL PROTECTION, NORTHERN  
IRELAND**

**The Landfill (Maximum Landfill Amount)(Northern Ireland)  
Regulations 2004**

*Made - - - - 17th November 2004*

*Coming into force in accordance with regulation 1*

The Secretary of State, in exercise of the powers conferred upon her by section 2(1)(d) of the Waste and Emissions Trading Act 2003(a) (“the Act”) having obtained the agreement of the Department of the Environment in accordance with section 2(4) of the Act, makes the following Regulations, a draft of which has been laid before and approved by a resolution of each House of Parliament in accordance with section 28(2) of the Act:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Landfill (Maximum Landfill Amount)(Northern Ireland) Regulations 2004 and come into force on the day after the day on which they are made.

(2) These Regulations extend to Northern Ireland only.

**Maximum amount of waste sent to landfills from Northern Ireland in non-target years**

2. The maximum amount by weight of biodegradable municipal waste allowed in a scheme year (being a scheme year that is not a target year) mentioned in the Table to be sent to landfills from Northern Ireland shall be in accordance with that Table.

**Table**

<i>Scheme Year</i>	<i>Maximum Amount (in tonnes)</i>
6th Year(b)	469,937
7th Year	465,950

17th November 2004

*Elliot Morley*  
Minister of State  
Department for Environment, Food and Rural Affairs

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(a) 2003 c.33.

(b) Scheme years for Northern Ireland are defined in section 23(1)(a) of the Act, amended by S.I. 2004/1936. The 1st scheme year for Northern Ireland will begin on 1st April 2005 and end on 31st March 2006. The 2nd and subsequent scheme years will follow this cycle. Therefore, the 6th scheme year will begin on 1st April 2010 and the 7th scheme year on 1st April 2011.

## EXPLANATORY NOTE

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

These Regulations are made under section 2(1)(d) of the Waste and Emissions Trading Act 2003 (“the Act”). Section 23(1) of the Act, as amended by regulation 2 of the Landfill (Scheme Year and Maximum Landfill Amount) Regulations 2004 (S.I. 2004/1936; “the earlier Regulations”), defines “scheme year” and “target year”.

Regulation 1 (citation, commencement and extent) provides that these Regulations only apply to Northern Ireland and that they come into force the day after they are made.

Regulation 2 (maximum amount of waste sent to landfills from Northern Ireland in non-target years) specifies the maximum amount of biodegradable municipal waste that may be sent to landfills from Northern Ireland in the scheme years 2010/11 and 2011/12 (respectively the sixth and seventh scheme years under the Act for Northern Ireland). For the sixth scheme year, which for Northern Ireland will begin on 1st April 2010, the maximum amount specified is 469,937 tonnes. For the seventh year, which for Northern Ireland will begin on 1st April 2011, the maximum amount specified is 465,950 tonnes.

Maximum amounts for target years and other scheme years have already been set for Northern Ireland by the earlier Regulations.

The earlier Regulations specify maximum amounts of biodegradable municipal waste that may be sent to landfills from Northern Ireland in the target years ending on 31st March 2010, 2013 and 2020. The maximum amounts specified by the earlier Regulations for these target years are 470,000, 320,000 and 220,000 tonnes respectively.

The earlier Regulations also specify maximum amounts of biodegradable municipal waste that may be sent to landfills from Northern Ireland in the first, second, third and fourth scheme years (which for Northern Ireland will begin on 1st April 2005, 2006, 2007 and 2008 respectively). The maximum amounts specified by the earlier Regulations for these scheme years are 669,885, 655,545, 641,235 and 626,925 tonnes respectively.

A full regulatory impact assessment of the effects that this instrument will have on the costs of business has been prepared for these Regulations. Copies may be obtained from Waste Landfill Policy, Department for Environment, Food and Rural Affairs, Zone 7/E8, Ashdown House, 123 Victoria Street, London SW1E 6DE. A copy has been placed in the library of each House of Parliament.

£3.00

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Printed and published in the UK by The Stationery Office Limited  
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's  
Stationery Office and Queen's Printer of Acts of Parliament.  
E1536 11/2004 141536T 19585

ISBN 0-11-050329-5



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