
STATUTORY INSTRUMENTS

2006 No. 937

The Waste Management (England and Wales) Regulations 2006

Transitional provisions

13.—(1) Section 33(1)(a) and (b) of the Environmental Protection Act 1990 shall not apply to the deposit, disposal or recovery of mines or quarries waste or agricultural waste by any person at any premises if he had carried on the activity in question at those premises before 15th May 2006.

(2) Subject to paragraph (3) below, the exemption conferred by paragraph (1) above, in relation to an activity carried on by a person at any premises, shall after 15th May 2007 cease to have effect in relation to the carrying on of that activity at those premises unless on or before that date he applies for a waste management licence in relation to the activity in question.

(3) Where a person makes such an application as is mentioned in paragraph (2) above, the exemption conferred by paragraph (1) above shall continue to have effect in relation to the activity in question until the date on which the licence applied for is granted or, if the application is (or is deemed to be) rejected, until the date on which—

- (a) the period for appealing expires without an appeal having been made; or
- (b) any appeal is withdrawn or finally determined.

(4) In this regulation—

“agricultural waste” means waste from premises used for agriculture within the meaning of the Agriculture Act 1947; and

“mines or quarries waste” means waste from a mine or quarry.