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STATUTORY INSTRUMENTS

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**2011 No. 988**

**ENVIRONMENTAL PROTECTION,  
ENGLAND AND WALES**

**The Waste (England and Wales) Regulations 2011**

*Made - - - - 28th March 2011*

*Coming into force in accordance with regulation 1*

**THE WASTE (ENGLAND AND WALES) REGULATIONS 2011**

PART 1

General

1. Citation, commencement and extent
2. Application
3. Interpretation
- 3A Modification of the Industrial Emissions Directive
- 3B Modification of the Landfill Directive
- 3C Modification of the Mining Waste Directive
- 3D Modification of the Waste Framework Directive
- 3E Modification of Directive 2000/60/EC of the European Parliament and of the Council

PART 2

Waste prevention programmes

4. Establishment of waste prevention programmes
5. Purposes etc. of waste prevention programmes
6. Monitoring and evaluation of waste prevention programmes

PART 3

Waste management plans

7. Requirement for waste management plans
8. Content of waste management plans

**Changes to legislation:** *The Waste (England and Wales) Regulations 2011 is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### PART 4

Waste prevention programmes and waste management plans: general provision

9. Directions to the Environment Agency
10. Review and modification of programmes and plans
11. Public participation in programmes and plans

#### PART 5

Duties in relation to waste management and improved use of waste as a resource

12. Duty in relation to the waste hierarchy
13. Duties in relation to collection of waste
14. Duty in relation to collected waste
15. Guidance
- 15A. Interpretation: Wales

#### PART 6

Duties of planning authorities

16. General interpretation
17. Meaning of planning functions
18. Exercise of planning functions
19. Inspections
20. Further duties in relation to planning permission

#### PART 7

Deposits in the sea

21. Interpretation
22. Exercise of offshore licensing functions
23. Inspections

#### PART 8

Registration of carriers, brokers and dealers

24. Interpretation
25. Registration of brokers and dealers in controlled waste
26. Exemptions in relation to carriers
27. Transitional exemptions
28. The register
29. Procedure for registration
30. Updating the register
31. Duration of a registration
32. Revocation of registration
33. Appeals
34. Inspections

#### PART 9

Transfer of waste

35. Waste information

## PART 10

### Enforcement

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37. Enforcement authority
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39. Stop notices
40. Restoration notices
41. Appeals
42. Offence and penalties
43. Proceedings against partnerships and unincorporated associations
44. Offences by bodies corporate, partnerships and unincorporated associations
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### Authority to transport controlled waste

- 45A Specified requirements under section 5 of the Control of Pollution (Amendment) Act 1989

## PART 11

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47. Radioactive waste
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## SCHEDULE 1 — Waste prevention programmes and waste management plans

### PART 1 — Objectives

1. Overall objective
2. Application of the waste hierarchy
3. Protection of human health and the environment
4. Principles of self-sufficiency and proximity

### PART 2 — Matters which must be included in waste management plans

5. Analysis of the current waste management situation etc.
6. General policies in relation to waste and litter
7. Policies in relation to packaging waste
8. Policies in relation to separate collection of waste
9. Policies in relation to bio-waste
10. Policies in relation to re-use
11. Preparing for re-use and recycling targets and landfill reduction targets

### Part 2A — Waste management plans: transitional provision

- 11A (1) This Part applies to a waste management plan that—...

### PART 3 — Matters which may be included in waste management plans

12. Matters which may be included in a waste management plan  
PART 4 — Public participation in the preparation or modification of a waste prevention programme or national waste management plan

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13. Interpretation
14. Public participation procedures
15. Procedures following public participation  
Part 5 — Waste prevention measures referred to in regulation 5(c)(iii)
16. The waste prevention measures referred to in regulation 5(c)(iii) are...  
Part 6 — Examples of economic instruments and other measures to provide incentives for the application of the waste hierarchy
17. The economic instruments and other measures referred to in paragraph...

SCHEDULE 2 — Amendments to the Hazardous Waste (England and Wales) Regulations 2005

PART 1 — Amendments

1. The Hazardous Waste (England and Wales) Regulations 2005 are amended...
2. For regulation 2, substitute— The Waste Directive and the meaning...
3. For regulation 3, substitute— Annex III to the Waste Directive...
4. In regulation 4(1), in the definition of “the List of...”
5. In regulation 5— (a) in paragraph (1)—
6. In regulation 8(1), for “Annexes I, II and III”, substitute...
7. In regulation 9— (a) in paragraph (1)—
8. In regulation 18— (a) after the words “it has been”,...
9. In regulation 19— (a) in paragraph (1), for “(2) and...”
10. In regulation 20(1)(a), omit “or a registered exemption”.
11. In regulation 35— (a) omit paragraphs (1)(c) and (4);
12. In regulation 36(1), for “38” substitute “ 39 ”.
13. Omit regulation 38.
14. In regulation 42— (a) in paragraph (1), for “regulations 43...”
15. In regulation 43(1), omit “other than a case to which...”
16. Omit regulation 44.
17. In regulation 47— (a) after paragraph (5)(b), omit “and”;
18. In regulation 48— (a) in paragraph (3)(c), for “Annex IIA...”
19. In regulation 49— (a) in paragraph (1), for “consignor of...”
20. In regulation 50(3), after “entered”, insert “ chronologically ”.
21. In regulation 51(2)(a), omit— (a) “multiple consignment notes and”; and...
22. In regulations 52(1) and 55(3), for “Annex IIA or Annex...”
23. Omit regulation 57.
24. In regulation 60— (a) in paragraph (1), for “Article 5”,...
25. In regulation 65(c), for “44” substitute “ 43 ”.
26. In the table in regulation 65A(1), for “44” substitute “...”
27. In regulation 69(1)(e), for “44” substitute “ 43 ”.
28. Omit Schedules 1, 2 and 6.
29. For Schedule 3, substitute the Schedule set out in Part...
30. For Schedule 4, substitute the Schedule set out in Part...
31. In paragraph 4(3)(a) of Schedule 7, for “43 or 44”...
32. In paragraph 7 of Schedule 7— (a) in paragraph (1),...
33. In Schedule 11, omit paragraphs 3 to 6 and 9...

PART 2 — The new Schedule 3

SCHEDULE 3 Annex III to the Waste Directive Regulation 3 Properties...

PART 3 — The new Schedule 4

SCHEDULE 4 Regulation 35(2)

SCHEDULE 3 — Amendments to the Environmental Permitting (England and Wales) Regulations 2010

1. The Environmental Permitting (England and Wales) Regulations 2010 are amended...
2. In regulation 2— (a) in paragraph (1), for the definition...
3. In regulation 3, for the definition of “the Waste Framework...
4. (1) Regulation 72 is renumbered as paragraph (1) of that...
5. In Part 2 of Schedule 1— (a) in paragraph 1...
6. In Schedule 2— (a) omit paragraph 2(3);
7. In Section 2 of Chapter 2 of Part 1 of...
8. In section 2 of Chapter 3 of Part 1 of...
9. In Schedule 9— (a) for paragraph 4 substitute— Exercise of...
10. In Schedule 10, for paragraph 5(1)(d), substitute—
11. In paragraph 2 of Schedule 11, in each definition of...
12. In paragraph 2(2)(c) of Schedule 12, for “Article 1(1)(a)”, substitute...
13. In paragraph 2 of Schedule 21, in paragraph (a) of...
14. In Part 1 of Schedule 25— (a) omit the definitions...
15. Omit Part 2 of Schedule 25.

#### SCHEDULE 4 — Amendments to other legislation

##### PART 1 — Public General Acts

1. The Control of Pollution (Amendment) Act 1989
  2. The Town and Country Planning Act 1990
  3. The Environmental Protection Act 1990
  4. The Environment Act 1995
  5. The Greater London Authority Act 1999
  6. The Waste and Emissions Trading Act 2003
  7. The Government of Wales Act 2006
- ##### PART 2 — Secondary legislation
8. The Town and Country Planning (Use Classes) Order 1987
  9. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991
  10. The Environment Act 1995 (Consequential Amendments) Regulations 1996
  11. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999
  12. The Town and Country Planning (Development Plan) (England) Regulations 1999
  13. The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000
  14. The Town and Country Planning (London Spatial Development Strategy) Regulations 2000
  15. The Packaging (Essential Requirements) Regulations 2003
  16. The End-of-Life Vehicles Regulations 2003
  17. The Town and Country Planning (Local Development) (England) Regulations 2004
  18. The Landfill Allowances and Trading Scheme (England) Regulations 2004
  19. The End-of-Life Vehicles (Producer Responsibility) Regulations 2005
  20. The List of Wastes (England) Regulations 2005
  21. The Waste Management (England and Wales) Regulations 2006
  22. The Waste Electrical and Electronic Equipment Regulations 2006
  23. The Producer Responsibility Obligations (Packaging Waste) Regulations 2007
  24. The Transfrontier Shipment of Waste Regulations 2007
  25. The Environmental Permitting (England and Wales) Regulations 2007
  26. The Town and Country Planning (Mayor of London) Order 2008

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27. The Batteries and Accumulators (Placing on the Market) Regulations 2008
28. The Environmental Damage (Prevention and Remediation) Regulations 2009
29. The Renewables Obligation Order 2009
30. The Waste Batteries and Accumulators Regulations 2009
31. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

#### SCHEDULE 5 — Revocations

The following instruments are revoked to the extent specified.  
Regulations...

Explanatory Note

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**Changes and effects yet to be applied to :**

- Sch. 1 para. 7(a)-(e) substituted for words by [S.I. 2019/188 reg. 16\(6\)\(a\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 16(6)(a) omitted immediately before IP completion day by virtue of S.I. 2020/1540, regs. 1(3), 11(10)(f))
- Sch. 1 para. 8 words omitted by [S.I. 2024/666 reg. 5\(b\)](#)
- Sch. 1 para. 6(b) words substituted by [S.I. 2019/188 reg. 16\(6\)\(a\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 16(6)(a) omitted immediately before IP completion day by virtue of S.I. 2020/1540, regs. 1(3), 11(10)(f))
- Sch. 3 para. 8(a)(iii) substituted by [S.I. 2011/600 Sch. 2 para. 61](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2011/600 is revoked and the amendments made by Sch. 2 thereof are undone by S.I. 2011/2377, reg. 28(1)(3))
- reg. 13(2) omitted by [S.I. 2024/666 reg. 5\(a\)\(i\)](#)
- reg. 13(3) omitted by [S.I. 2024/666 reg. 5\(a\)\(ii\)](#)
- reg. 13(4) omitted by [S.I. 2024/666 reg. 5\(a\)\(ii\)](#)

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

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

- reg. 16(3)(ba) substituted for reg. 16(3)(b) by [2023 c. 55 Sch. 8 para. 32](#)