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## EXPLANATORY NOTE

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

These Regulations transpose, for England and Wales, Directive [2008/98/EC](#) of the European Parliament and of the Council on waste (OJNo. L 312, 22.11.2008, p3).

Part 2 requires the establishment of waste prevention programmes and makes related provision.

Part 3 and Schedule 1 require waste management plans for England and Wales.

Part 4 and Schedule 1 make supplementary provision in relation to waste prevention programmes and waste management plans, including provision for public participation in their preparation and revision.

Part 5 imposes duties in relation to the improved use of waste as a resource. Regulation 12 requires the waste hierarchy in Article 4 of the Directive to be applied as a priority order.

Regulations 13 and 14 apply from 1st January 2015 to require the separate collection of waste paper, metal, plastic and glass and prohibit mixing of those wastes once separately collected.

Part 6 imposes duties on planning authorities (defined in regulation 16(3)) when exercising certain functions under the planning Acts (defined in regulation 16(2)).

Part 7 imposes duties on authorities responsible for licensing deposits of waste at sea.

Part 8 makes provision in relation to carriers of waste and brokers and dealers in waste and Part 9 provides for the transfer note to be completed on the transfer of waste.

Part 10 provides for enforcement.

Part 11 and Schedules 2 to 4 make provision in relation to the reduction of administrative burden, radioactive waste and the amendment and revocation of other legislation.

A full impact assessment of the effect that this instrument will have on business, the voluntary sector and the public sector is available from the Waste Programme, Department for Environment, Food and Rural Affairs, Ergon House, Horseferry Road, London SW1P 2AL and is annexed to the Explanatory Memorandum which is available alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

**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 06 July 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.

[View outstanding changes](#)

**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](#)