
STATUTORY INSTRUMENTS

2014 No. 656

The Waste (England and Wales) (Amendment) Regulations 2014

Part 10A (authority to transport controlled waste)

7. After regulation 45 (proceedings for contravention of section 1 of the Control of Pollution (Amendment) Act 1989), insert—

“PART 10A

Authority to transport controlled waste

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

45A.—(1) Where a person is required to produce an authority for transporting controlled waste under section 5(2)(a) (power to require production of authority, stop and search etc) of the Control of Pollution (Amendment) Act 1989—

- (a) a copy of that person’s certificate of registration as a carrier of controlled waste made in accordance with regulation 29(6A) and (6B) is authority for these purposes⁽¹⁾; and
 - (b) where the authority cannot be produced forthwith when required to do so, the authority must be produced at, or sent to, the relevant office no later than 5 working days from when required.
- (2) For the purposes of paragraph (1)(b)—
- (a) “relevant office” means an office of the appropriate body as may be specified by the authorised officer of a regulation authority or constable at the time the requirement is made;
 - (b) “working day” means any day except a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday under section 1 of the Banking and Financial Dealings Act 1971⁽²⁾.
- (3) For the purposes of paragraph (2)—
- (a) “authorised officer” has the meaning given in section 9(1B) of the Control of Pollution (Amendment) Act 1989⁽³⁾;
 - (b) “regulation authority” has the meaning given in section 9(1) of that Act, as read with section 9(1A) and (1AA)⁽⁴⁾.”.

(1) Section 5(3)(a) of the Control of the Pollution (Amendment) Act 1989 provides that for the purposes of subsection (2)(a), a person’s authority for transporting controlled waste is his certificate of registration as a carrier of controlled waste.

(2) 1971 c.80.

(3) Section 9(1B) of the Control of the Pollution (Amendment) Act 1989 was inserted, in relation to England and Wales, by the Clean Neighbourhoods and Environment Act, section 39(1), (3).

(4) The definition of “regulation authority” in section 9(1) of the Control of the Pollution (Amendment) Act 1989 was substituted by the Environment Act 1995, section 120, Schedule 22, paragraph 37(8). In the definition of “regulation authority” paragraph (aa) was inserted by S.I. 2013/755 (W 90) article 4(1), Schedule 2, Part 1, paragraphs 188 and 190(b). Section

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