
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to enactments which concern hazardous waste or cross-refer to other enactments or European Union instruments concerning hazardous waste.

Directive [2008/98/EC](#) of the European Parliament and of the Council on waste (Directive OJ No L 312, 22.11.08, p.3) (“the Directive”) was amended on 19th December 2014 by Commission Regulation (EU) No 1357/2014 (OJ No L 365, 19.12.14, p.89). Accordingly, paragraph (a) of regulation 2 updates references to the Directive in subsections (1)(b) and (2)(b) of section 62A of the Environmental Protection Act 1990 (c.43) (“the EPA 1990”). Other enactments are similarly updated (regulations 3(2) and [7\(2\)\(a\)](#)).

On 30th December 2014 Commission Decision [2000/532/EC](#) replacing Decision [94/3/EC](#) establishing a list of wastes pursuant to Article 1(a) of Council Directive [75/442/EEC](#) on waste and Council Decision [94/904/EC](#) establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive [91/689/EEC](#) on hazardous waste (OJ No L 226, 6.9.2000, p.3) (“the List of Wastes”) was amended by Commission Decision 2014/955/EU (OJ No L 370, 30.12.2014, p.44). Paragraph (b) of regulation 2 amends subsection (3) of section 62A of the EPA 1990 such that the reference to the List of Wastes is a reference to that List as amended from time to time. Other enactments are amended with like effect (regulations [2\(b\)](#), [3\(4\)](#), [5\(b\)](#), [7\(3\)\(a\)\(i\)](#), [8\(2\)](#) and [9](#)).

Regulations [4](#), [6](#) and [7\(2\)\(b\)](#) and [\(4\)](#) amend enactments as a consequence of Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (OJ No L 197, 24.7.2012, p.38). Regulation [10](#) revokes the List of Wastes (England) Regulations 2005 ([S.I. 2005/895](#)) and the List of Wastes (England) (Amendment) Regulations 2005 ([S.I. 2005/1673](#)). Schedule 2 contains transitional provisions.

An impact assessment has not been done for this instrument as no impact on business, the voluntary sector or the public sector is foreseen.