
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Special Waste Regulations 1996 [S.I. 1996/972] (“the Principal Regulations”) in relation to Wales.

Regulation 3 updates references in regulation 1 of the Principal Regulations to the current editions of the approved classification and labelling guide and the approved supply list under the Chemicals (Hazard Information and Packaging for Supply) Regulations 1994. The 1994 Regulations have most recently been amended by the Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2000 [S.I. 2000/2381] and copies of the new (Fourth) edition of the approved labelling guide and of the new (Sixth) edition of the approved supply list may be obtained from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA.

Regulation 4 amends regulation 6(1) of the Principal Regulations by removing the “motor vehicle” battery limitation in respect of loads of lead acid batteries for which pre-notification is not required.

Regulation 5 amends regulation 7 of the Principal Regulations so that for a second and subsequent consignment in a succession of consignments of special waste the code identifying the first consignment in that succession must be entered on the consignment note in addition to the relevant code for the consignment in question.

Regulation 6(a) amends regulation 8(1)(d) of the Principal Regulations by extending from 24 hours to 72 hours the time in which a carrier’s round must be completed. Regulation 6(b) removes the “motor vehicle” battery limitation from the lead acid battery loads exception in regulation 8(2)(ii) of the Principal Regulations requiring the carrier to provide the Agency, for the place of delivery, with a copy of the consignment note before the removal of the first waste on the round.

Regulation 7 amends regulation 10(3)(c) of the Principal Regulations so as to require that, where a consignee rejecting a delivery has received a consignment note, the copy of any carrier’s schedule which he forwards to the Environment Agency (“the Agency”) for the new destination is annotated to indicate which loads were not accepted.

Regulation 8 inserts a new regulation 10A. Regulation 10A provides that a new consignment note must be prepared where a load is rejected by the consignee and is redirected to premises other than those from which it was collected or where it was produced and sets out the procedure to be followed for the new consignment note. It also allows a carrier to sign Part D of the consignment note where they have the written authority of the consignor.

Regulation 9(a) amends regulation 14(1) of the Principal Regulations so that fees are set by the Agency in a charging scheme under section 41 of the Environment Act 1995, rather than by the Secretary of State. Regulation 9(b) amends regulation 14(2)(a) by removing the first condition for a second or subsequent carrier’s round in a succession of rounds to be exempted from payment of a fee for the assignment of a code (that the carrier is also the consignee in relation to every consignment in all the rounds). Regulation 9(c) amends the conditions in regulation 14(2)(a)(iii) of the Principal Regulations by making it clear that the total weight limit of 400kg applies to each round in the succession.

Regulation 10 makes minor amendments to the prescribed form of consignment note in Schedule 1 to the Principal Regulations.

Regulation 11 substitutes a new prescribed form of carrier’s schedule in Schedule 1 to the Principal Regulations. Additional information required is the postcode of the address of origin, the time of the carrier’s signature, and a description of waste removed.