

## SCHEDULE 7

Regulation 46

### UK CROSS-BORDER MOVEMENT OF HAZARDOUS WASTE

#### Recognition of cross border UK consignment notes

1. Subject to paragraph 4 and paragraph 7, where hazardous waste is removed from premises situated in England, Scotland, Northern Ireland or Gibraltar and is transported into Wales (“a cross-border consignment note into Wales”), no requirement for a consignment note to accompany the waste under Part 6 applies if—

- (a) a consignment note which is completed in England, Scotland, Northern Ireland or Gibraltar accompanies the waste; and
- (b) the note contains the information required by the standard consignment note set out in the Annex to Commission Decision 94/774 of 24 November 1994 <sup>M1</sup> (“a cross-border consignment note”).

#### Marginal Citations

M1 [S.I. 2003/1941](#).

2. Any requirement in Part 6 to complete a consignment note for a cross-border consignment may be satisfied by including the information—

- (a) on the cross-border consignment note; or
- (b) where that is not possible, on a separate form prepared for that purpose.

3. Any requirement to keep a copy of a consignment note for a cross-border consignment or to give a copy of the note to another person may be satisfied by keeping a copy of the cross-border consignment note or giving a copy of the note to that person.

#### UK cross-border Consignments into Wales

4.—(1) If a cross-border consignment into Wales is rejected wholly or in part, the consignee must—

- (a) indicate on the cross-border consignment note (if he or she has received one) or otherwise provide a written record of his or her rejection of the consignment (or part of it) and the reasons for such rejection;
- (b) retain a copy of the note or record;
- (c) give a copy to the carrier; and
- (d) as soon as reasonably practicable, send a copy to the consignor, and (if different from the consignor) the producer or holder indicated on the cross-border consignment note.

(2) On being informed that the consignee will not accept delivery of a cross-border consignment into Wales or part, the carrier must—

- (a) inform the Agency; and
- (b) seek instructions from the hazardous waste producer or holder indicated on the cross-border consignment note and take all reasonable steps to ensure they are fulfilled.

(3) Before a rejected cross-border consignment into Wales is moved from the original delivery destination, the carrier must ensure that—

- (a) a consignment note is completed in accordance with regulation 43 or 44; and

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**Changes to legislation:** There are currently no known outstanding effects for the The Hazardous Waste (Wales) Regulations 2005, SCHEDULE 7. (See end of Document for details)

- (b) a copy of the note is sent to SEPA (where the waste is transported from Scotland) or the Northern Ireland Department of the Environment (where the waste is transported from Northern Ireland).

(4) Where a cross-border consignment into Wales from Scotland or Northern Ireland is accepted, the consignee must send a copy of the cross-border consignment note to SEPA (where the waste is transported from Scotland) or the Northern Ireland Department of the Environment (where the waste is transported from Northern Ireland).

### **UK cross-border Consignments out of Wales**

5.—(1) Where a cross-border consignment out of Wales is consigned to premises in Scotland or Northern Ireland, the following requirements apply in addition to those in Part 6.

(2) Before the hazardous waste is removed—

- (a) the hazardous waste producer, or holder, as the case may be, or (in the case of a multiple collection of hazardous waste) the carrier, must ensure that—

- (i) a copy of the relevant consignment note is prepared for SEPA (where the waste is to be consigned to a consignee in Scotland), or for the Northern Ireland Department of the Environment (where the waste is to be consigned to a consignee in Northern Ireland); and

- (ii) an additional copy is provided for the consignee.

- (b) the copies of the relevant consignment note prepared pursuant to paragraph (a) must be completed in accordance with Part 6; and

- (c) the consignor (or the producer or holder, as the case may be) or, in the case of a multiple collection of hazardous waste, the carrier, must send the copy of the note prepared pursuant to paragraph (a)(i) to the relevant authority at least 72 hours before removal of the consignment or if that is not possible, as soon as reasonably practicable thereafter.

(3) The carrier must ensure the additional copy of the note prepared for consignee travels with the consignment and is given to the consignee on delivery of the consignment.

### **Multiple Collections in Wales and England**

6.—(1) This paragraph applies to a journey made by a carrier which meets the conditions set out in regulation 38(1) except that at least one collection is made in England.

(2) A journey to which this paragraph applies is to be treated as a multiple collection for the purposes of these Regulations but in relation to any collections made in England, the carrier must ensure that the multiple collection consignment note is completed before the waste is delivered to the consignee.

(3) Where the consignee for a journey to which this paragraph applies is located in England, regulation 38 applies to the collection of any consignments collected in Wales.

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**Changes to legislation:**

There are currently no known outstanding effects for the The Hazardous Waste (Wales) Regulations 2005, SCHEDULE 7.