

SCHEDULE 7

Regulation 46

UK CROSS-BORDER MOVEMENT OF HAZARDOUS WASTE

Recognition of cross border UK consignment notes

1. Subject to paragraph 4 and [^{F1}paragraph 6], 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 [^{F2}Annex 1A to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste] (“a cross-border consignment note”).

Textual Amendments

- F1** Words in Sch. 7 para. 1 substituted (29.3.2011) by *The Waste (Miscellaneous Provisions) (Wales) Regulations 2011 (S.I. 2011/971)*, reg. 1(2), **Sch. para. 32**
- F2** Words in Sch. 7 para. 1(b) substituted (17.12.2018) by *The Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018 (S.I. 2018/1216)*, regs. 1(3), **6(3)**

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 [^{F3}NRBW] ; 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 [^{F4}36 or 43]; and
- (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) [^{F5}or the Agency (where the waste is transported from England)].

(4) Where a cross-border consignment into Wales from Scotland or Northern Ireland [^{F6}or England] 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) [^{F7}or the Agency (where the waste is transported from England)].

Textual Amendments

- F3** Word in Sch. 7 para. 4(2)(a) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 5 para. 35(2)(a)** (with Sch. 7)
- F4** Words in Sch. 7 para. 4(3)(a) substituted (29.3.2011) by [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 31**
- F5** Words in Sch. 7 para. 4(3)(b) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 5 para. 35(2)(b)** (with Sch. 7)
- F6** Words in Sch. 7 para. 4(4) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 5 para. 35(2)(c)(i)** (with Sch. 7)
- F7** Words in Sch. 7 para. 4(4) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 5 para. 35(2)(c)(ii)** (with Sch. 7)

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 [^{F8}or England], 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) [^{F9}or the Agency (where the waste is to be consigned to a consignee in England)]; 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.

Textual Amendments

- F8** Words in Sch. 7 para. 5(1) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 5 para. 35(3)(a)** (with Sch. 7)
- F9** Words in Sch. 7 para. 5(2)(a)(i) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 5 para. 35(3)(b)** (with Sch. 7)

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 [^{F10}the definition of “multiple collection” (“*amlgasgliad*”) in regulation 5(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 ^{F11}....

^{F12}(3)

Textual Amendments

- F10** Words in Sch. 7 para. 6(1) substituted (29.3.2011) by [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 33(a)**
- F11** Words in Sch. 7 para. 6(2) omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 33(b)**
- F12** Sch. 7 para. 6(3) omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 33(c)**

Changes to legislation:

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