

<sup>F1</sup>SCHEDULE 1 **E+W**

Regulation 3(2)(a)(i)

**Textual Amendments**

- F1** Sch. 1 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 28**

<sup>F2</sup>SCHEDULE 2 **E+W**

Regulation 3(2)(a)(ii)

**Textual Amendments**

- F2** Sch. 2 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 28**

<sup>F3</sup>SCHEDULE 3 **E+W**

Regulation 3

Annex III to the Waste Directive

**Textual Amendments**

- F3** Sch. 3 omitted (20.7.2015) by virtue of [The Hazardous Waste \(Miscellaneous Amendments\) \(Wales\) Regulations 2015 \(S.I. 2015/1417\)](#), regs. 1(2), **3(8)**

<sup>F4</sup>SCHEDULE 4 **E+W**

Regulation 35(2)

**Textual Amendments**

- F4** Sch. 4 substituted (29.3.2011) by [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), Sch. para. 30, **Sch. Pt. 3**

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

**HAZARDOUS WASTE (WALES) REGULATIONS 2005**  
**RHEOLIADAU GWASTRAFF PERYGLUS (CYMRU) 2005**

**Part A NOTIFICATION DETAILS**  
**Rhan A MANYLION HYSBYSU**

1. Consignment Note Code:  /   
*Cod Nod(y) Traddod:*
2. The waste described below is to be removed from (name, address, postcode, telephone, e-mail, facsimile):  
*Mae'r gwastraff a ddiogryfir isod i'w gludo o (enw, cyfeiriad, cod post, ffôn, e-bost, ffacs):*
3. Premises Code (where applicable):   
*Cod y Ffatrie (os yw'n gwmrs):*
4. The waste will be taken to (name, address & postcode):  
*Chidr y gwastraff i (enw, cyfeiriad a chod post):*
5. The waste producer was (if different from 2.) (name, address, postcode, telephone, e-mail, facsimile):  
*Cyhyrchwyd y gwastraff oeddi (os yw'n wahanol i 2) (enw, cyfeiriad, cod post, ffôn, e-bost, ffacs):*

**Part B DESCRIPTION OF THE WASTE**  
**Rhan B DISGRIFIAD O'R GWASTRAFF**

1. The process giving rise to the waste(s) was:  
*I' broses a roes fod i'r gwastraff(oedd) oeddi:*
2. SIC for the process giving rise to the waste:  
*SIC aw y broses a roes fod i'r gwastraff:*

**WASTE DETAILS (where more than one waste type is collected all of the information given below must be completed for each EWC identified)**

**MANYLION Y GWASTRAFF (os ceisglir mwy nag un math o wastraff rhaid cwblhau'r holl wybodaeth a roddir isod ar gyfer pob EWC a ddyndodwyd)**

The waste(s) is:  
 Dyma'r gwastraff(oedd):

Description of waste <i>D disgrifiad o'r gwastraff</i>	List of Wastes (EWC) code (6 digits) <i>Cod Rhestr y Gwastraff(oedd) (EWC) (6 digid)</i>	Quantity (kg) <i>Cyffwrth (kg)</i>	The chemical/biological components in the waste and their concentrations are: <i>Dyma gyflwmnodolion cemegol/biologol y gwastraff a'u crymndodolion:</i>		Physical Form (Gas, Liquid, Solid, Powder, Sludge or Mixed) <i>Ffurf Ffisegol (Nwy, Hylif, Solid, Powdwr, Llaca neu Gwmysgfi)</i>	Hazard code(s): <i>Cod(au) perygl:</i>	Container type, number & size: <i>Math, rhif a maint y cynhwysydd</i>
			Component	Concentration (% or mg/kg)			

**The information given below is to be completed for each EWC identified**  
**Mae'r wybodaeth a roddir isod i'w chwblhau ar gyfer pob EWC a ddyndodwyd**

EWC Code <i>Cod EWC</i>	UN identification number(s) <i>Rhif(au) ddynddi UN</i>	Proper shipping name(s) <i>Enw(au) priodol y llysoth</i>	UN Class(es) <i>Dosbarth(au) UN</i>	Packing Group(s) <i>Gwip neu Grwpiau Pwcyntu</i>	Special handling requirements <i>Gofynnion trwyfod arbennig</i>



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

SCHEDULE 5 E+W

Regulation 35(3)

SCHEDULE OF CARRIERS



SCHEDULE OF CARRIERS/ATODLEN Y CLUDWYR

SECOND CARRIER'S CERTIFICATE/ TYSTYSGRIF YR AIL GLUDWR

I certify that the following carrier/ Yr wyf yn ardstio bod y cludwr [enter details as appropriate/howch y manyllion priodol]:

transferred the waste identified in B3 to me today for onward transportation to (delete as appropriate below):  
wedi trosgwyddo'r gwastraff a enwir yn B3 i mi heddiw i'w gludo ymlaen i (dileer fel y bo'n briodol isod):

- a) another carrier/ gludwr arall
b) the consignee listed in A4/ y traddodai a restrir yn A4

The quantity transferred is/Dyma'r cyfaint a drosgwyddwyd:

Name/Enw:

On behalf of (company)/name, address & postcode, telephone, e-mail, facsimile/Ar ran (cwmni)(enw, cyfeiriad, cod post, ffôn, e-bost, ffacs):

Signature/Llofnod:
Date/Dyddiad: at/am hrs/o'r gloch.

- 1. Carrier registration no/reason for exemption/ Rhif cofrestru'r cludwr/heswm dros yr esemptiad:
2. Vehicle registration no (or mode of transport if not road)/ Rhif cofrestru'r cerbyd (neu'r cyfrwng cludo os nad ar ffordd):
3. Original consignment note number/ Rhif y nodyn traddodi gwreiddiol:

THIRD CARRIER'S CERTIFICATE/ TYSTYSGRIF Y TRYDYDD CLUDWR

I certify that the following carrier/ Yr wyf yn ardstio bod y cludwr [enter details as appropriate/howch y manyllion priodol]:

transferred the waste identified in B3 to me today for onward transportation to (delete as appropriate below):  
wedi trosgwyddo'r gwastraff a enwir yn B3 i mi heddiw i'w gludo ymlaen i (dileer fel y bo'n briodol isod):

- a) another carrier/ gludwr arall
b) the consignee listed in A4/ y traddodai a restrir yn A4

The quantity transferred is/Dyma'r cyfaint a drosgwyddwyd:

Name/Enw:

On behalf of (company)/name, address & postcode, telephone, e-mail, facsimile/Ar ran (cwmni)(enw, cyfeiriad, cod post, ffôn, e-bost, ffacs):

Signature/Llofnod:
Date/Dyddiad: at/am hrs/o'r gloch.

- 1. Carrier registration no/reason for exemption/ Rhif cofrestru'r cludwr/heswm dros yr esemptiad:
2. Vehicle registration no (or mode of transport if not road)/ Rhif cofrestru'r cerbyd (neu'r cyfrwng cludo os nad ar ffordd):
3. Original consignment note number/ Rhif y nodyn traddodi gwreiddiol:

FOURTH CARRIER'S CERTIFICATE/ TYSTYSGRIF Y PEDWERYDD CLUDWR

I certify that the following carrier/ Yr wyf yn ardstio bod y cludwr [enter details as appropriate/howch y manyllion priodol]:

transferred the waste identified in B3 to me today for onward transportation to (delete as appropriate below):  
wedi trosgwyddo'r gwastraff a enwir yn B3 i mi heddiw i'w gludo ymlaen i (dileer fel y bo'n briodol isod):

- a) another carrier/ gludwr arall
b) the consignee listed in A4/ y traddodai a restrir yn A4

The quantity transferred is/Dyma'r cyfaint a drosgwyddwyd:

Name/Enw:

On behalf of (company)/name, address & postcode, telephone, e-mail, facsimile/Ar ran (cwmni)(enw, cyfeiriad, cod post, ffôn, e-bost, ffacs):

Signature/Llofnod:
Date/Dyddiad: at/am hrs/o'r gloch.

- 1. Carrier registration no/reason for exemption/ Rhif cofrestru'r cludwr/heswm dros yr esemptiad:
2. Vehicle registration no (or mode of transport if not road)/ Rhif cofrestru'r cerbyd (neu'r cyfrwng cludo os nad ar ffordd):
3. Original consignment note number/ Rhif y nodyn traddodi gwreiddiol:

SCHEDULE 6 E+W

Regulation 35(4)

#### Textual Amendments

- F5** Sch. 6 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), [Sch. para. 28](#)

## SCHEDULE 7 **E+W**

Regulation 46

### UK CROSS-BORDER MOVEMENT OF HAZARDOUS WASTE

#### Recognition of cross border UK consignment notes **E+W**

1. Subject to paragraph 4 and [<sup>F6</sup>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 [<sup>F7</sup>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

- F6** 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](#)
- F7** 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 **E+W**

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 [F8NRBW] ; 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 [F936 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) [F10] or the Agency (where the waste is transported from England)].
- (4) Where a cross-border consignment into Wales from Scotland or Northern Ireland [F11 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) [F12] or the Agency (where the waste is transported from England)].

#### Textual Amendments

- F8** 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)
- F9** 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](#)
- F10** 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)
- F11** 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)
- F12** 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 **E+W**

5.—(1) Where a cross-border consignment out of Wales is consigned to premises in Scotland or Northern Ireland [F13 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) [F14] 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

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- (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**

- F13** 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)
- F14** 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** **E+W**

6.—(1) This paragraph applies to a journey made by a carrier which meets the conditions set out in <sup>F15</sup>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 <sup>F16</sup>....

<sup>F17</sup>(3) .....

**Textual Amendments**

- F15** 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)**
- F16** 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)**
- F17** 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)**

<sup>F18</sup>SCHEDULE 8/  
ATODLEN 8 **E+W**

Regulation/Rheoliad 54]

Form of consignee’s return to producer or holder/  
Ffurfi ateb y traddodai i’r cynhyrchydd neu’r deiliad

**Textual Amendments**

- F18** Sch. 8 substituted (14.8.2019) by [The Hazardous Waste \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1165\)](#), reg. 1(2), **Sch.**

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### Hazardous waste producer returns form Ffurflen atebion cynhyrchydd gwastraff peryglus

1. Consignee details/Manylion y traddodai

Name of consignee/ Enw'r traddodai	Postcode/ Cod Post	Consignee hazardous waste i.d. code Cod adnabod gwastraff peryglus y traddodai	Date/Dyddiad <sup>(1)</sup>

2. Waste return/ Atebion ynglŷn â gwastraff

Consignment note number Rhif nodyn traddodi	Date received Dyddiad dod i law	Mode of transport Cyfrwng ctudo	Frequency of collection Amlder casglu(2)	Six digit code(s) ) Cod(a u) chwe digid(3) )	Hazard code(s) Cod(au) perygl(4)	Physical form Ffurff ffisegol(5) )	Quantity (kg) Maint (kg)	Mode of disposal/ recovery Dull gwaredu/adfer(6)

<sup>(1)</sup>Date of submission of the return by the consignee/ Dyddiad cyflwyno'r ateb gan y traddodai.

<sup>(2)</sup>Where relevant/ Pan fo'n berthnasol.

<sup>(3)</sup>The six digit code(s) must correspond to the relevant code in the list of wastes. There may be more than one waste stream for each consignment note. All relevant six digit codes must be recorded/ Rhaid i'r cod(au) chwe digid gyfateb i'r cod perthnasol yn y rhestr o wastraffoedd. Gall fod mwy nag un ffrwd wastraff ar gyfer pob nodyn traddodi. Rhaid cofnodi pob cod chwe digid perthnasol.

<sup>(4)</sup>**Hazard code:** the hazard code must correspond to the list below. Each individual six digit code may have more than one hazard code. Each appropriate hazard code for a particular six digit code must be entered. Choose all of the appropriate hazard codes for the particular waste. If a waste contains a substance listed in Annex IV to Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (recast), and the concentration limit in that Annex is exceeded, the code "POP" must be recorded/ **Cod perygl:** rhaid i'r cod perygl gyfateb i'r rhestr isod. Gall pob cod chwe digid unigol gwmpasu mwy nag un cod perygl. Rhaid cofnodi pob cod perygl priodol ar gyfer unrhyw god chwe digid. Dewiswch bob un o'r codau perygl priodol ar gyfer gwastraff penodol. Os yw gwastraff yn cynnwys sylwedd a restrir yn Atodiad IV i Reoliad (EU) 2019/1021 Senedd Ewrop a'r Cyngor ar lygryddion organig parhaus (ail-Iunio), a'r crynodiad yn uwch na'r terfyn uchaf yn yr Atodiad hwnnw, rhaid cofnodi'r cod "POP".

Hazard code/ Cod perygl	Description/ Disgrifiad
HP 1	Explosive/ Ffrwydrol
HP 2	Oxidising/ Ocsideiddiol
HP 3	Flammable/ Fflamadwy
HP 4	Irritant – skin irritation and eye damage/ Llidiog – yn achosi llid ar y croen a niwed i'r llygad
HP 5	Specific Target Organ Toxicity (STOT)/ Aspiration Toxicity/ Gwenwyndra sy'n Targedu Organ Benodol (STOT)/ Gwenwyndra Anadlol
HP 6	Acute Toxicity/ Gwenwyndra Aciwt
HP 7	Carcinogenic/ Carsinogenig
HP 8	Corrosive/ Cyrydol
HP 9	Infectious/ Heintus
HP 10	Toxic for reproduction/ Gwenwynig ar gyfer atgenedlu



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HP 11	Mutagenic/ Mwtagenig
HP 12	Release of an acute toxic gas/ Rhyddhau nwy gwenwynig aciwt
HP 13	Sensitising/ Sensiteiddiol
HP 14	Ecotoxic/ Ecowenwynig
HP 15	Waste capable of exhibiting a hazardous property listed above not directly displayed by the original waste/ Gwastraff a allai amlygu priodwedd beryglus a restrir uchod, nas amlygwyd yn uniongyrchol gan y gwastraff gwreiddiol
POP	Persistent Organic Pollutant/ Llygrydd Organig Parhaus

<sup>(5)</sup>Physical form: Choose one option from the following list as appropriate.

Ffurff ffisegol: Dewiswch un opsiwn fel y bo'n briodol o'r rhestr ganlynol.

Gas/ Nwy  
Liquid/ Hylif  
Mixed/ Cymysgedd  
Powder/ Powdr  
Sludge/ Sltwsh  
Solid/ Solid

<sup>(6)</sup>Mode of disposal/recovery or rejected: use the appropriate Dxx/Rxx code for the operation performed on the waste or insert REJ if the waste has been rejected.

Dull gwaredu/ adfer, neu gwrthodwyd: defnyddier y cod Dxx/Rxx priodol ar gyfer y gweithrediad a gyflawnwyd ar y gwastraff, neu mewnosoder REJ os gwrthodwyd y gwastraff.

Code/ Cod	Disposal operation/ Gweithrediad gwaredu
D01	Deposit into or onto land/ Dyddodi yn y tir neu arno
D02	Land treatment/ Trin tir
D03	Deep injection/Chwistrellu'n ddwfn
D04	Surface impoundment/ Cronni ar yr wyneb
D05	Specially engineered landfill/ Tirlenwi a beiriannwyd yn benodol
D06	Release into a water body except seas/oceans/ Rhyddhau mewn corff dŵr ac eithrio moroedd/cefnforoedd
D07	Release into seas/oceans including seabed injection/ Rhyddhau mewn moroedd/cefnforoedd gan gynnwys mewnosod yng ngwely'r môr
D08	Biological treatment not specified elsewhere which results in final compounds or mixtures which are disposed of by any of the operations numbered D01 to D12 Triniaeth fiolegol, nas pennir yn unman arall, sy'n creu cyfansoddion neu gymysgeddau terfynol a waredir drwy ddefnyddio unrhyw rai o'r gweithrediadau a rifwyd D01 i D12
D09	Physic-chemical treatment not specified elsewhere which results in final compounds or mixtures which are disposed of by any of the operations numbers D01 to D12 Triniaeth ffisegol-gemegol, nas pennir yn unman arall, sy'n creu cyfansoddion neu gymysgeddau terfynol a waredir gan ddefnyddio unrhyw rai o'r gweithrediadau a rifwyd D01 i D12
D10	Incineration on land/ Hylosgi ar y tir
D11	Incineration at sea/ Hylosgi ar y môr
D12	Permanent storage/ Storio'n barhaol
D13	Blending or mixing prior to submission to any of the operations numbered D01 to D12 Blendio neu gymysgu cyn cyflawni unrhyw rai o'r gweithrediadau a rifwyd D01 i D12
D14	Repackaging prior to submission to any of the operations numbered D01 to D12/ Ailbecynnu cyn cyflawni unrhyw rai o'r gweithrediadau a rifwyd D01 i D12
D15	Storage pending any of the operations numbered D01 to D14 (excluding temporary storage, pending collection, on the site where it is produced) Storio tra'n aros i gyflawni unrhyw rai o'r gweithrediadau a rifwyd D01 i D14 (ac eithrio storio dros dro, tra'n aros am ei gasglu o'r safle lle'i cynhyrchir)

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Recovery operation/ Gweithrediad adfer

R01	Use principally as a fuel or other means to generate energy/ Defnyddio'n bennaf fel tanwydd neu ar gyfer dull arall o gynhyrchu ynni
R02	Solvent reclamation/regeneration/ Adennill/atgynhyrchu toddyddion
R03	Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)/ Ailgylchu/adennill sylweddau anorganig nas defnyddir fel toddyddion (gan gynnwys compostio a phrosesau trawsnewid biolegol eraill)
R04	Recycling/reclamation of metals and metal compounds/ Ailgylchu/adennill metelau a chyfansoddion metelau
R05	Recycling/reclamation of other inorganic materials/ Ailgylchu/adennill deunyddiau anorganig eraill
R06	Regeneration of acids or bases/ Atgynhyrchu asidau neu fasau
R07	Recovery of components used for pollution abatement/ Adfer cydrannau a ddefnyddir ar gyfer atal llygredd
R08	Recovery of components from catalysts/ Adfer cydrannau o gatalyddion
R09	Oil refining or other re-uses of oil/ Puro olew, neu ddulliau eraill o aildefnyddio olew
R10	Land treatment resulting in benefit to agriculture or ecological treatment/ Trin tir mewn ffordd sy'n llesol i amaethyddiaeth, neu driniaeth ecolegol
R11	Use of wastes obtained from any of the operations numbered R01 to R10/ Defnyddio gwastraffoedd a geir o unrhyw rai o'r gweithrediadau a rifwyd R01 i R10
R12	Exchange of wastes for submission to any of the operations numbered R01 to R11/ Cyfnewid gwastraffoedd er mwyn cyflawni amynt unrhyw rai o'r gweithrediadau a rifwyd R01 i R11
R13	Storage of wastes pending any of the operations numbered R01 to R12 (excluding temporary storage, pending collection, on the site where it is produced)/ Storio gwastraffoedd tra'n aros i gyflawni unrhyw rai o'r gweithrediadau a rifwyd R01 i R12 (ac eithrio storio dros dro, tra'n aros am eu casglu o'r safle lle'u cynhyrchir)

SCHEDULE 9 **E+W**

Regulation 59

TRANSITIONAL CHARGES BY THE AGENCY

1. The following paragraphs have effect in relation to the charges payable to the Agency under these Regulations.
2. The charge to be paid on the notification of premises pursuant to regulation 26 is—
  - (a) £28 for each set of premises notified in writing;
  - (b) £23 for each set of premises notified by telephone; and
  - (c) £18 for each set of premises notified in electronic form.
3. The charge to be paid by a consignee in respect of any consignee quarterly returns made pursuant to regulation 53 is—
  - (a) for any return made in writing, the sum of the following amounts for each consignment accepted by the consignee during the quarter—
    - (i) £10 for each consignment forming part of a multiple collection; and
    - (ii) £19 for any other consignment; and
  - (b) for any return made in electronic form, the sum of the following amounts for each consignment accepted by the consignee during the quarter—
    - (i) £5 for each consignment forming part of a multiple collection; and
    - (ii) £10 for any other consignment.

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

- 4. The charge to be paid by a producer in respect of any self disposal return made pursuant to regulation 53 is—
  - (a) for any return made in writing, £19; and
  - (b) for any return made in electronic form, £10.
- 5. The time for payment of the fee required under paragraph 3 and 4 is the later of 30 days following—
  - (a) the last day of the quarter to be covered by the return if a return is not submitted in accordance with regulation 53; or
  - (b) submission of the return in accordance with regulation 53.
- 6. A consignee may recover from a consignor any fees paid under paragraph 3 in relation to consignments sent by that consignor.

SCHEDULE 10 **E+W**

Regulation 70(7)

FORM OF FIXED PENALTY NOTICES/<sup>F19</sup>

**Textual Amendments**

**F19** Words “the Natural Resources Body for Wales” substituted (1.4.2013) for “the Environment Agency” in Sch. 10 by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 5 para. 36](#) (with Sch. 7)



FORM OF FIXED PENALTY NOTICES/  
FFURF HYSBYSIADAU COSBAU PENODEDIG

HAZARDOUS WASTE (WALES) REGULATIONS 2005, SCHEDULE 10  
RHEOLIADAU GWASTRAFF PERYGLUS (CYMRU) 2005, ATODLEN 10

Notice Number/ Rhif Hysbysiad: \_\_\_\_\_

Name of alleged offender/ Enw'r tramgyddwr honedig: \_\_\_\_\_

Address/ Cyfeiriad: \_\_\_\_\_

I, /Mae genyf/i \_\_\_\_\_ (1)  
an authorised person acting on behalf of the Environment Agency, / sy'n berson awdurdodolig sy'n gweithredu ar ran  
Asiantaeth yr Amgylchedd,  
have reason to believe that on or between/ ie i gredu eich bod ar neu rhwng \_\_\_\_\_ (2),  
you committed the offence of/ wedi cyflawni tramgydd, sef \_\_\_\_\_ (3).  
This notice offers you the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty.  
Mae'r hysbysiad hon yn rhoi cyfle i chi fodloni unrhyw atebolrwydd i golffarn am y tramgydd honno drwy dalu cosb benodedig.

The circumstances alleged to constitute the offence are as follows/ Mae'r amgylchiadau yr honnir eu bod yn creu'r tramgydd  
fel a ganlyn: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No proceedings will be taken for this offence before the expiration of 28 days from the date of this notice. You will not be liable  
to conviction for the offence if you pay the fixed penalty during that period of 28 days.  
Ni ddysgir achos am y tramgydd honno cyn pen 28 niwrnod ar ôl dyddiad yr hysbysiad hon. Ni fyddwch yn agored i golffarn am  
y tramgydd os byddwch yn talu'r gosb benodedig yn ystod y cyfnod honno o 28 niwrnod.

The amount of the fixed penalty is £300. /£300 yw swm y gosb benodedig.  
It may be paid to/ Gellir ei dalu i \_\_\_\_\_ (4)  
at the following address/ yn y cyfeiriad canlynol: \_\_\_\_\_ (5).

Payment may be made by pre-paying and posting to/ Gellir gwneud y taliad drwy ragdalu ac anfon  
at \_\_\_\_\_ (4)  
at the address shown above a letter containing the amount of the penalty/ yn y cyfeiriad a wellir uchod lythyr yn cynnwys swm  
y gosb.  
Payment may also be made by cash, or by cheque, postal order or money order made payable to/ Gellir talu hefyd ag arian  
parod, neu â sîc, archeb bost neu archeb arian yn daladwy i: \_\_\_\_\_ (4).

If you are sending cash, you are advised to send it by registered post. Payment made in this way will be regarded as having  
been made at the time at which the letter would be delivered in the ordinary course of post. Alternatively, payment may be  
made in person or by any other method.  
Os byddwch yn anfon arian parod, fe'ch cynghorir i'w anfon drwy'r post cofrestrdedig. Bernir bod taliad a wnaed fel hyn wedi'i  
wneud ar yr amser y byddid yn traddodi'r llythyr honno yn nhrefn arferol y post. Fel arall, gellir talu'n bersonol neu drwy unrhyw  
ddull arall.

Signature of authorised person/ Llofnod y person awdurdodolig: \_\_\_\_\_

Date of notice/ Dyddiad yr hysbysiad: \_\_\_\_\_

Notes/ Nodiadau:  
(1) Insert name of authorised person/ Mewnsoedwr enw'r person awdurdodolig.  
(2) Insert date on or dates between which offence is alleged to have taken place.  
Mewnsoedwr y dyddiad yr honnir bod y tramgydd wedi digwydd neu'r dyddiadau yr honnir ei fod wedi digwydd rhyngdynt.

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

(3) Insert regulation of the Hazardous Waste (Wales) Regulations 2005 which is alleged to have been contravened  
*Mewnmoder y rheolriad yn Rheoliadau Gwastraff Peryglus (Cymru) 2005 yr honniir ei fod wedi'i dorri.*  
(4) Insert title or name of the person to whom the fixed penalty is to be paid.  
*Mewnmoder teitl neu enw'r person y mae'r gosb benodolig i'w thalu iddo.*  
(5) Insert address at which payment is to be made.  
*Mewnmoder y cyfeiriad lle mae'r taliad i'w wneud.*

**Letter which may be used for payment by post**

***Llythyr y gellir ei ddefnyddio i dalu drwy'r post***

I enclose with this letter the amount of £300 being the fixed penalty for the offence described in Fixed Penalty Notice number/ *Yr off yn unigolig gyda'r llythyr hon y swm o £300 sef y gosb benodolig am y trwmgydd a ddisgrifir yn Hysbysiad Cosb Benodolig rhif: \_\_\_\_\_ (1)*  
under Schedule 10 of the Hazardous Waste (Wales) Regulations 2005/ o dan Atodlen 10 i Reoliadau Gwastraff Peryglus (Cymru) 2005.

Signature/*Llofnod:* \_\_\_\_\_

Name in capitals/*Enw mewn priflythrennau:* \_\_\_\_\_

Address/*Cyfeiriad:* \_\_\_\_\_

**Notes/ Nodiadau:**

(1) Insert Notice number that appears in the fixed penalty notice above/*Mewnmoder rhif yr Hysbysiad sy'n ymddangos yn yr hysbysiad cosb benodolig uchod.*

SCHEDULE 11 **E+W**

Regulation 73

CONSEQUENTIAL AMENDMENTS

**PART 1 E+W**

AMENDMENTS TO PRIMARY LEGISLATION

*The Environmental Protection Act 1990*

1. The Environmental Protection Act 1990 is amended as follows.
2. In section 75 (as amended by the Hazardous Waste (England and Wales) Regulations 2005 <sup>M1</sup>—
  - (a) in subsection (8A) for paragraph (b) substitute—
    - “(b) in the application of this Part to Wales, means any waste which is a hazardous waste for the purposes of the Hazardous Waste (Wales) Regulations 2005.”;
  - (b) subsection (8B) is omitted.

**Marginal Citations**

**M1** OJ No L 196, 16. 8. 1967, p. 1.

*The Waste and Emissions Trading Act 2003*

3. The Waste and Emissions Trading Act 2003 <sup>M2</sup> is amended as follows.

**Marginal Citations**

**M2** OJ No L 259, 15. 10. 1979, p. 10.

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

4. In section 25(2), for “for the purpose of Council Directive 91/689/EEC” substitute “ within the meaning of regulation 6 of the Hazardous Waste (Wales) Regulations 2005 ”.

## PART 2 **E+W**

### AMENDMENTS TO SECONDARY LEGISLATION

#### *The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991*

F20 5. ....

#### Textual Amendments

F20 Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of *The Waste (Miscellaneous Provisions) (Wales) Regulations 2011* (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F20 6. ....

#### Textual Amendments

F20 Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of *The Waste (Miscellaneous Provisions) (Wales) Regulations 2011* (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

#### *The Environmental Protection (Duty of Care) Regulations 1991*

F20 7. ....

#### Textual Amendments

F20 Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of *The Waste (Miscellaneous Provisions) (Wales) Regulations 2011* (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

F20 8. ....

#### Textual Amendments

F20 Sch. 11 paras. 5-8 omitted (29.3.2011) by virtue of *The Waste (Miscellaneous Provisions) (Wales) Regulations 2011* (S.I. 2011/971), reg. 1(2), **Sch. para. 34**

#### *The Environmental Protection (Prescribed Processes and Substances) Regulations 1991*

9. The Environmental Protection (Prescribed Processes and Substances) Regulations 1991 <sup>M3</sup> are amended as follows.

#### Marginal Citations

M3 OJ No. L310, 03.12.1994 p.70.

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

**10.** In Section 5.1 of Chapter 5 of Schedule 1—

- (a) in the definition of “exempt hazardous waste incineration plant”—
  - (i) in paragraph (ii) for “Annex II to Directive 91/689/EEC on hazardous waste” substitute “Schedule 2 of the Hazardous Waste (Wales) Regulations 2005”;
  - (ii) in paragraph (iii) for “Annex III to Directive 91/689/EEC on hazardous waste” substitute “Schedule 3 of the Hazardous Waste (Wales) Regulations 2005”;
- (b) in the definition of “hazardous waste”—
  - (i) in the opening words, for “Article 1(4) of Directive 91/689/EEC” substitute “regulation 6 of the Hazardous Waste (Wales) Regulations 2005”; and
  - (ii) in sub-paragraph (i)(b) and paragraph (v), for “in Annex II to Directive 91/689/EEC” substitute “in Schedule 2 to the Hazardous Waste (Wales) Regulations 2005”.

*Waste Management Licensing Regulations 1994*

<sup>F21</sup>**11.** . . . . .

**Textual Amendments**  
**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**12.** . . . . .

**Textual Amendments**  
**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**13.** . . . . .

**Textual Amendments**  
**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**14.** . . . . .

**Textual Amendments**  
**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**15.** . . . . .

**Textual Amendments**  
**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

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

<sup>F21</sup>**16.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**17.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**18.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**19.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**20.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**21.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

<sup>F21</sup>**22.** .....

**Textual Amendments**

**F21** Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

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

F21 23. ....

**Textual Amendments**  
F21 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F21 24. ....

**Textual Amendments**  
F21 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

F21 25. ....

**Textual Amendments**  
F21 Sch. 11 paras. 11-25 omitted (29.3.2011) by virtue of [The Waste \(Miscellaneous Provisions\) \(Wales\) Regulations 2011 \(S.I. 2011/971\)](#), reg. 1(2), **Sch. para. 34**

*Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999*

F22 26. ....

**Textual Amendments**  
F22 Sch. 11 para. 27 revoked (1.3.2016) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2016 \(S.I. 2016/58\)](#), reg. 1(2), **Sch. 8** (with regs. 59, 60(2))

F22 27. ....

**Textual Amendments**  
F22 Sch. 11 para. 27 revoked (1.3.2016) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2016 \(S.I. 2016/58\)](#), reg. 1(2), **Sch. 8** (with regs. 59, 60(2))

*Environmental Protection (Disposal of Polychlorinated Biphenyls and Dangerous Substances)(England and Wales) Regulations 2000*

28. The Environmental Protection (Disposal of Polychlorinated Biphenyls and Dangerous Substances) (England and Wales) Regulations 2000 <sup>M4</sup> are amended as follows.

**Marginal Citations**  
M4 2003 c. 33.

29. For regulation 11(3), substitute the following—



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

“(3) Subject to paragraphs (5) and (7), the Agency shall keep a register specifying the quantity, origin, nature and PCB content of used PCBs in respect of which—

- (a) copies of consignment notes specifying that information are furnished to it under regulations 5(4), 8(7) or 9(3) of the Special Waste Regulations 1996; or
- (b) quarterly returns specifying that information are furnished to it under regulation 53 of the Hazardous Waste (Wales) Regulations 2005,

and which in either case have been furnished by a person in the course of a business concerned with the disposal of PCBs.”

*Pollution Prevention and Control (England and Wales) Regulations 2000*

**30.** The Pollution Prevention and Control (England and Wales) Regulations 2000 <sup>M5</sup> (which extend to England and Wales) are amended as follows.

**Marginal Citations**

**M5** [S.I. 1991/1624](#); [Schedule 1](#) was amended by [S.I. 1994/1137](#), 1996/972, 2000/1973.

**31.** In Chapter 5 of Schedule 1—

- (a) in the definition of “hazardous waste” in the paragraph headed “Interpretation of Section 5.1” of Section 5.1—
  - (i) in the opening words for “Article 1(4) of Directive [91/689/EEC](#) on hazardous waste” substitute “ regulation 6 of the Hazardous Waste (Wales) Regulations 2005 ”; and
  - (ii) in paragraph (a)(ii) for “Annex II to Directive [91/689/EEC](#) on hazardous waste” substitute “ Schedule 2 of the Hazardous Waste (Wales) Regulations 2005 ”;
- (b) in paragraph 1 of the paragraph headed “Interpretation of Part A(1)” of Section 5.3 for the definition of “hazardous waste”, substitute “ “hazardous waste” means any waste as defined for the time being in regulation 6 of the Hazardous Waste (Wales) Regulations 2005. ”; and
- (c) in the paragraph headed “Interpretation of Part A(1)” of Section 5.4 insert the following after paragraph 3—

“4. In this Part, hazardous waste means any waste as defined in regulation 6 of the Hazardous Waste (Wales) Regulations 2005.”.

*Chemicals (Hazard Information and Packaging for Supply) Regulations 2002*

**32.** The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 <sup>M6</sup> are amended as follows.

**Marginal Citations**

**M6** [S.I. 1991/2839](#); as amended by [S.I.2002/1559](#), 2003/63.

**33.** In regulation 3(3)(e), for “Special Waste Regulations 1996” substitute “ Hazardous Waste (Wales) Regulations 2005 ”.

*Landfill (England and Wales) Regulations 2002*

**34.** The Landfill (England and Wales) Regulations 2002 <sup>M7</sup> are amended as follows.

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

**Marginal Citations**

**M7** [S.I. 1991/472](#); relevant amendments are contained in [S.I.1998/767](#).

**35.** In Regulation 7(2) for “Hazardous waste means any waste as defined in Article 1(4) of Directive [91/689/EEC](#) (hazardous waste).” substitute “ Hazardous waste means any waste as defined in regulation 6 of the Hazardous Waste (Wales) Regulations 2005. ”.

**36.** For paragraph 2(a) of Schedule 1, substitute “ (a) it is a hazardous waste as defined in the Hazardous Waste (Wales) Regulations 2005; and ”.

**37.** For paragraph 3(1)(a) of Schedule 1, substitute “ (a) it is a hazardous waste as defined in the Hazardous Waste (Wales) Regulations 2005; and ”.

**38.** For paragraph 3(1)(b) of Schedule 1, substitute “ (b) it is a non-hazardous waste as defined in the Hazardous Waste (Wales) Regulations 2005. ”.

**39.** For paragraph 5(1)(g) of Schedule 1, substitute—

“(g) in the case of hazardous waste, the relevant properties which render it hazardous as listed in Schedule 3 of the Hazardous Waste (Wales) Regulations 2005;”.

*Packaging (Essential Requirements) Regulations 2003*

**40.** The Packaging (Essential Requirements) Regulations 2003 <sup>M8</sup> are amended as follows.

**Marginal Citations**

**M8** [S.I. 1999/293](#), to which there are amendments not relevant to these Regulations.

<sup>F23</sup>**41.** .....

**Textual Amendments**

**F23** [Sch. 11 para. 41](#) revoked (1.10.2015) by [The Packaging \(Essential Requirements\) Regulations 2015 \(S.I. 2015/1640\)](#), [reg. 1](#), [Sch. 6](#) (with [reg. 3\(5\)](#))

SCHEDULE 12 **E+W**

Regulation 74

TRANSITIONAL PROVISIONS

**PART 1** **E+W**

PROVISIONS OF THESE REGULATIONS

**1.—(1)** This paragraph applies to any notification of premises made for the purposes of these Regulations from the day after the day on which they are made and before 16 July 2005.

**(2)** Where it is proposed to remove waste from any premises after 16 July 2005, a producer, and, in the circumstances provided for in regulation 25, a consignor, may notify premises to the Agency in advance in accordance with regulation 26.

(3) The effective time may not be on a date earlier than 16 July 2005 or on a date later than 16 September 2005.

(4) The Agency must, where notification is duly given pursuant to this paragraph, issue a premises code in accordance with regulation 27.

(5) Expressions used in this paragraph have the same meanings as in Part 5.

**2.—(1)** This paragraph applies to any action taken by a producer or consignor before this paragraph comes into force but which would, if taken after it comes into force, have been a notification which complied with regulation 26, (“a pre-notification”).

(2) A pre-notification is to be regarded as notification given upon the coming into force of this paragraph.

(3) Regulation 28(1) does not apply to a notification arising out of a pre-notification and that notification takes effect, instead:

- (a) where the person who gave the pre-notification requested a date for commencement, at the beginning of the date so requested;
- (b) where no such request was made, at the beginning of the fourth day following the day on which the pre-notification took place;
- (c) when payment of the relevant fee is received by the Agency;
- (d) upon the coming into force of this paragraph;

whichever is the later.

(4) Where the Agency issues a premises code in respect of premises which are the subject of a pre-notification given pursuant to this paragraph, that code is to be regarded as having been issued on the coming into force of this paragraph.

(5) Where the relevant fee is paid to the Agency in respect of a pre-notification, that fee is to be regarded as having been paid for the purposes of regulation 26(7) on the coming into force of this paragraph.

**3.** Where the removal of waste by pipeline from any premises commenced before 16 July 2005 but continues thereafter, regulation 41 has effect as if the first day on which the waste was piped was 16 July 2005.

## **PART 2** **E+W**

### **PERMITTING REGIMES**

**4.—(1)** Subject to the following provisions of this Schedule, a reference in a waste permit to special waste, or to special waste of any description (howsoever framed), is a reference to hazardous waste, or hazardous waste of that description, as the case may be.

**5.—(1)** This paragraph applies in relation to waste which was not special waste immediately before these Regulations come into force if that waste becomes hazardous waste as a result of these Regulations (“changed status waste”).

(2) Any general prohibition or restriction contained in a waste permit relating to the disposal or recovery of special waste under that permit immediately before these Regulations came into force does not apply to the disposal or recovery of changed status waste insofar as the permit specifically authorises the disposal or recovery of that type of waste.

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

(3) A waste permit holder who would no longer be authorised to continue to dispose or recover that waste under his or her permit by reason of the change in its status, may continue to dispose or recover that waste in accordance with the permit despite the change in status until the prescribed date.

(4) Regulation 17(3) of the 1994 Regulations does not apply to the carrying on of an exempt activity involving changed status waste at any place by a person who was carrying on that activity at that place immediately before these Regulations come into force (“a changed status waste exempt person”).

(5) A changed status waste exempt person who would no longer be authorised to carry on an exempt activity involving such waste by reason of the change in its status, may continue to carry on that activity at that place in accordance with the 1994 Regulations despite the change in status until the prescribed date.

(6) The prescribed date is—

- (a) where an application for a waste permit or a variation to a permit is duly made in relation to the activity before 16 July 2006, the date on which the application is granted or if the application is (or is deemed to be) rejected, the date on which the period for appealing expires without an appeal being made or any appeal is withdrawn or finally determined; or
- (b) in any other case, 16 July 2006.

**Changes to legislation:**

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