

## SCHEDULE 4

### UK STATUTORY INSTRUMENTS

#### **Waste (England and Wales) Regulations 2011**

**406.** For regulation 29 substitute—

**“Procedure for registration**

**29.**—(1) This regulation applies to—

- (a) registration of a carrier for the purposes of the Control of Pollution (Amendment) Act 1989; and
- (b) registration of a broker or dealer for the purposes of regulation 25.

(2) An application for registration must be made to the appropriate body, using the form provided by that body.

(3) All the information required by the form must be provided, together with any fee prescribed in a charging scheme made by the appropriate body under section 41 of the Environment Act 1995.

(4) The appropriate body may require additional information to be provided.

(5) Registration may be refused if, in the opinion of the appropriate body—

- (a) it is undesirable for the applicant to be authorised to transport controlled waste or to act as a broker or dealer of controlled waste (as the case may be); and
- (b) the applicant or another relevant person has been convicted of an offence under—
  - (i) regulation 42,
  - (ii) section 1, 5 or 7(3) of the Control of Pollution (Amendment) Act 1989,
  - (iii) section 33 or 34 of the Environmental Protection Act 1990,
  - (iv) section 110(2) of the Environment Act 1995,
  - (v) the Hazardous Waste (England and Wales) Regulations 2005,
  - (vi) the Hazardous Waste (Wales) Regulations 2005,
  - (vii) the Transfrontier Shipment of Waste Regulations 2007,
  - (viii) regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007, or
  - (ix) regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010.

(6) On registration the appropriate body must provide a certificate of registration to the applicant.

(7) If registration is refused the appropriate body must notify the applicant and give written reasons for the refusal.

(8) For the purposes of an application under paragraph (2) the appropriate body is—

- (a) in the case of a carrier, broker or dealer whose registered office or principal place of business is in England, the Environment Agency;
- (b) in the case of a carrier, broker or dealer whose registered office or principal place of business is in Wales, the Natural Resources Body for Wales.”