

LEGISLATION AND GUIDELINES

The following legislation and guidelines list is not exhaustive and the NHS SBS and the Participating Authorities will require the appointed Contractor(s) to ensure that it notifies and advises the NHS SBS and the Participating Authorities to all relevant current/future legislation, regulation and guidelines in order to ensure that the NHS SBS and the Participating Authorities meets their individual duty of care:

PLEASE NOTE: THE FOLLOWING LIST OF LEGISLATION AND GUIDELINES APPLIES TO ENGLAND ONLY.

[Carriage of Dangerous Goods by Road Regulations 1996 SI 2095](#)

[Clean Neighbourhoods and Environment Act 2005](#)

Control of Pollution (Amendment) Act 1989

Control of Substances Hazardous to Health Regulations 2002 SI 2677

Controlled Waste Regulations 1992 SI 588

[Controlled Waste \(Amendment\) Regulations 1993 SI 566](#)

Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991SI 1624 and Amendment (SI1998/605)

Directive 00/76/EC on the incineration of waste

Directive 1999/36/EC on Transportable Pressure Equipment

Directive 2001/7/EC adapting for the third time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road

Directive 2002/96/EC on waste electrical and electronic equipment as amended by EU Directive 2003/108/EC.

Directive 2003/28/EC applying the European Agreement concerning the International Carriage of Dangerous Goods by Road

Directive 2004/35/CE on Environmental Liability

[Directive 2006/121/EC amending Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances in order to adapt it to Regulation \(EC\) No 1907/200](#)

Directive 75/442/EEC on waste as amended by - (i) Directives 91/156/EEC and 91/692/EEC; (ii) Commission Decision 96/350/EC; and (iii) Regulation (EC) No 1882/2003

Directive 91/155/EEC on safety sheets

Directive 91/689/EEC Hazardous Waste Directive as amended by Council Directive 94/31/EC

Directive 94/62/EC of the European Parliament and the Council on packaging and packaging waste amended by Directive 2004/12/EC, Commission Decision 1999/177/EC , Commission Decision 2001/171/EC& Commission Decision 2006/340/EC amending Decision 2001/171/EC

Directive 96/29/EURATOM on basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation

Directive 96/49/EC on the approximation of the laws of Member States with regard to the transport of dangerous goods by rail (as amended by Directive 2000/62/EC and Directive 2003/29/EC)

Directive 96/61/EC on Integrated Pollution Prevention and Control (the "IPPC Directive")

Directive 2000/76/EC on the incineration of waste

End of Life Vehicles Regulations 2003 (SI 2003/2635)

End of Life Vehicles (Producer Responsibility) Regulations 2005 SI 263

Environment Act 1995

[Environmental Protection Act 1990](#)

[Environmental Protection \(Disposal of Polychlorinated Biphenyls and other Dangerous Substances\) \(England and Wales\) Regulations 2000 SI 1043](#)

Environmental Protection (Duty of Care) Regulations 1991 (SI1991/2839)

Environmental Protection (Duty of Care) (England) Amendment) Regulations 2003 (SI2003/63). NB: SI2003/1720 in Wales)

[Environmental Protection Act 1990 \(Amendment of Section 57\) \(England and Wales\) Regulations 2005 No. 3026](#)

[Environmental Protection Act 1990 \(Extension of Section 140\) Regulations SI 1999 No 396](#)

[Environmental Protection Act 1990 \(Modification of section 112\) Regulations 1992 No. 2617](#)

EU Regulation 259/1993 on the Supervision and Control of Shipments of Waste

Hazardous Waste Directive 91/689/EEC as amended by Council Directive 94/31/EC

[Hazardous Waste \(England and Wales\) Regulations 2005 SI 894](#)

Health and Safety at Work Act 1974

Health and Safety at Work etc 1974 (Application to Environmentally Hazardous Substances) (Amendment) Regulations 2005 (SI 2005/1308)

Ionising Radiations Regulations 1999 SI 3232

Landfill (England and Wales) Regulations 2002 SI 1559

Landfill (England and Wales) (Amendment) Regulations SI2004/1375)

Landfill (Scheme Year and Maximum Landfill Amount) Regulations 2004 SI 1936

[Landfill Tax Regulations 1996 SI 1527](#)

Landfill Tax (Amendment) (No 2) Regulations 2003 SI 2313

Landfill Tax (Amendment) Regulations 2003 SI 605

Landfill Tax (Qualifying Material) Order 1996

[List of Wastes \(England\) Regulations 2005 SI 895](#)

Noise and Statutory Nuisance Act 1993

Packaging (Essential Requirements) Regulations 2003, SI 1941

Packaging (Essential Requirements) (Amendment) Regulations 2004, SI 1188

Pollution Prevention and Control (Unauthorised Part B Processes) (England and Wales) Regulations 2004 SI434

Producer Responsibility Obligations (Packaging Waste) Regulations 1997, SI 648

Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 1999, SI 1361

Producer Responsibility Obligations (Packaging Waste) (Amendment) (No2) Regulations 1999, SI 3447

Producer Responsibility Obligations (Packaging Waste) (Amendment) (England and Wales) Regulations 1999, SI 3375

Producer Responsibility Obligations (Packaging Waste) (Amendment) (England) Regulations 2002, SI 732

Producer Responsibility Obligations (Packaging Waste) (Amendment) (England/Wales/Scotland) 2003 SI 3294 / 613 / 3238

[Radioactive Material \(Road Transport\) \(Amendment\) Regulations 2003, SI 1867](#)

[Radioactive Material \(Road Transport\) Regulations 2002, SI 1093](#)

Radioactive Substances Act 1993, as amended

Road Transport Directive (2002/15/EC) as implemented by the Road Transport (Working Time) Regulations

The Environmental Information Regulations 2004 (SI3391/2004)

[The Environmental Protection \(Prescribed Processes and Substances\) \(Amendment\) \(Hazardous Waste Incineration\) Regulations 1998](#)

The Pollution Prevention and Control (England and Wales) (Amendment) (England) Regulations 2006

[The Pollution Prevention and Control Act 1999](#)

[The Radioactive Substances Act 1993](#)

[The Waste Electrical and Electronic Equipment Regulations SI 2006 /3289](#)

[The Waste Incineration \(England and Wales\) Regulations 2002 No. 2980](#)

The Waste (England and Wales) Regulations 2011 as amended.

Waste and Emissions Trading Act 2003

Waste and Emission Trading Act 2004 Order 2004 (SI 2004/1874 and 1488)

Waste Management Licensing (Amendment) (England) Regulations 2003 (SI 2003/595)

Waste Management Licensing Regulations 1994 (SI1994/1056) as amended

Waste Management Licensing (England and Wales) (Amendment and Related Provisions) (No. 2) Regulations 2005 (SI 2005/1528)

Waste Incineration (England and Wales) Regulations 2002, SI 2980

Waste Management Licences (Consultation and Compensation) Regulations 1999, SI 481

Source: Environment Agency (www.environment-agency.gov.uk) and NetRegs www.netregs.gov.uk 2 March 2007

FUTURE REGULATIONS AND GUIDELINES TO CONSIDER:

- Budget adjustments to the rate of Landfill Tax and potential changes to the exemption regime
 - Batteries Regulations (implementing the Batteries Directive)
 - Changes to DoH guidance on safe management of healthcare waste
 - The [DoH web pages on waste](#) contain template and example: local clinical waste disposal procedure within a total waste management regime; total waste management policy and strategy; waste manager job description as well as briefing notes on relevant topics such as WEEE and diabetic care (sharps disposal) and [guidance on healthcare waste minimisation](#))
 - Chartered Institution of Wastes Management (CIWM)
 - Environmental Liability Regulations (implementing the Environmental Liability Directive)
 - Environment Agency Technical Guidance Document WM2 - Interpretation of the definition and classification of hazardous waste Technical Guidanceⁱ
 - [Environment Agency web pages on waste](#)
 - Outcome of the EA and DEFRA consultation on amendments to the Duty of Care for waste and revision to statutory guidance
 - Outcome of the EA consultation on site waste management plans for the construction industry
 - Outcome of the EA consultation on trans frontier shipment of waste
 - [NetRegs](#)
 - NHS Estates Health Technical Memorandum 07-01: [Safe Management of Healthcare Waste, November 2006](#)
 - NHS Estates “Total Waste Management Best Practice Advice on Local Waste Management for the NHS in England”. London, 2004. ISBN 0-11-322493-1. (Only available in hard copy from the Stationary Office.)
 - [PASA pages on waste](#) including access to waste management and sustainable development training framework (NHS only)
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