This Statutory Instrument has been made in consequence of a defect in S.I. 1988/1562 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

1988 No. 1790

PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, SCOTLAND

The Control of Pollution (Special Waste) (Amendment) Regulations 1988

Made - - - -	*18th October 1988*
Laid before Parliament	*24th October 1988*
Coming into force	*14th November 1988*

The Secretary of State for the Environment, as respects England, the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland, in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972(**a**), being the Ministers designated(**b**) for the purposes of that subsection in relation to the regulation and control of the transit, import and export of waste (including recyclable materials) which is dangerous or which requires the taking of special precautions and in relation to anything supplemental or incidental to those matters, and of all other powers enabling them in that behalf, hereby make the following Regulations:–

Citation and commencement

1. These Regulations may be cited as the Control of Pollution (Special Waste) (Amendment) Regulations 1988 and shall come into force on 14th November 1988.

Amendment of the Transfrontier Shipment of Hazardous Waste Regulations 1988

2. Regulation 30 of the Transfrontier Shipment of Hazardous Waste Regulations 1988(**c**) is hereby revoked.

Amendment of the Control of Pollution (Special Waste) Regulations 1980

3. For regulation 7 of the Control of Pollution (Special Waste) Regulations 1980(**d**) there shall be substituted the following –

"**7.**—(1) Subject to paragraph (2)–

(a) these Regulations shall apply to a person who imports special waste into Great Britain as they apply to a producer and as if the waste were produced at the place where it first enters Great Britain; and

(b) regulation 6 shall apply to a person who exports special waste from Great Britain as it applies to a disposer.

(**a**) 1972 c.68. (**b**) S.I. 1985/1195. (**c**) S.I. 1988/1562. (**d**) S.I. 1980/1709.

(2) These Regulations, except for regulations 14, 15 and 16, shall not apply to consignments of hazardous waste within the meaning of the Transfrontier Shipment of Hazardous Waste Regulations 1988."

17th October 1988 — *Nicholas Ridley*, Secretary of State for the Environment

17th October 1988 — *Peter Walker*, Secretary of State for Wales

18th October 1988 — *Malcolm Rifkind*, Secretary of State for Scotland

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England, Wales and Scotland, amend the Transfrontier Shipment of Hazardous Waste Regulations 1988 ("the 1988 Regulations") and the Control of Pollution (Special Waste) Regulations 1980 ("the 1980 Regulations").

Regulation 30 of the 1988 Regulations, which is revoked, amended the 1980 Regulations in a way that left it uncertain whether the 1980 Regulations applied to imported or exported special waste (within the meaning of the 1980 Regulations) that is not hazardous waste (within the meaning of the 1988 Regulations).

These Regulations amend the 1980 Regulations so that the latter continue to apply to special waste that is not hazardous waste.

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