Draft Order laid before the Assembly under paragraph 7(2) of Schedule 4 to the European Union (Withdrawal) Act 2018 and Article 39(1), (2) and (3) of the Waste and Contaminated Land (Northern Ireland) Order 1997 for approval

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2025 No. 0000

ENVIRONMENTAL PROTECTION

The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2025

Made - - - -	*xxxx 2025*
Coming into operation	*xxxx 2025*

The Department for Agriculture, Environment and Rural Affairs(**a**) being an appropriate authority for the purposes of paragraph 8 of Schedule 4 to the European Union (Withdrawal) Act 2018(**b**), and in exercise of the powers conferred by paragraph 7(2) of Schedule 4 to that Act and Article 39(1), (2) and (3) of the Waste and Contaminated Land (Northern Ireland) Order 1997(**c**) and now vested in it(**d**), makes the following regulations.

In accordance with paragraph 12(3) of Schedule 7 to the European Union (Withdrawal) Act 2018 a draft of these Regulations was laid before, and approved by a resolution of, the Assembly.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2025 and shall come into operation on xxxx 2025.

Amendment of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999

2.—(1) The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999(**e**) are amended in accordance with paragraph (2).

(2) In regulation 4 (applications for registration)—

(a) In paragraph (8)(a) for "£164" substitute "£180";

(b) In paragraph (8)(b) for "£82" substitute "£90";

(c) In paragraph (8)(c) for "£42" substitute "£46".

(**a**) 2016 c. 5 (N.I.)
(**b**) 2018 c.16. Schedule 4 was amended by Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c.1)
(**c**) S.I. 1997/2778 (N.I. 19) the relevant amendment is S.I. 2007/611 (N.I. 3)
(**d**) S.R. 2016 c. 76, Article 8(1)(c)
(**e**) S.R. 1999 No. 362 the relevant amendments are S.R. 2003 No. 493, S.R. 2010 No. 84, S.R. 2011 No. 127, S.R. 2012 No. 112, S.R. 2013 No. 248, S.R. 2015 No. 21, S.R. 2016 No. 401, S.R. 2017 No. 221, S.R. 2018 No. 91, S.R. 2019 No. 83 and S.R.2020 No. 112, S.R. 2022 No. 127 and S.R. 2023 No. 211.

Amendment of the Waste Management Licensing Regulations (Northern Ireland) 2003

3.—(1) The Waste Management Licensing Regulations (Northern Ireland) 2003 (**a**) are amended in accordance with paragraph (2).

(2) In Schedule 4 (registration of brokers and dealers of controlled waste)—

(a) In paragraph 3(10)(a) for "£164" substitute "£180";

(b) In paragraph 3(10)(b) for "£82" substitute "£90";

(c) In paragraph 3(10)(c) for "£42" substitute "£46".

Senior Official
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

(**a**) S.R. 2003 No. 493 the relevant amendments are S.R. 2010 No. 84, S.R. 2011 No. 232, S.R. 2012 No. 112, S.R. 2013 No.248, S.R. 2015 No. 21, S.R. 2016 No. 401, S.R. 2017 No. 221, S.R. 2018 No. 91, S.R. 2019 No. 83, S.R. 2020 No. 112, S.R. 2021 No.182, S.R. 2022 No. 127 and S.R. 2023 No. 211.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Department of Agriculture, Environment and Rural Affairs publishes a charging scheme to ensure that as far as practical, fees and charges payable for waste management licenses under the Waste and Contaminated Land (Northern Ireland) Order 1997 (the 1997 Order) are sufficient to recover costs for the Department in exercising its functions under the 1997 Order. However, charges for processing applications for registration as carriers, brokers or dealers in controlled waste are required to be set out in legislation. The purpose of these Regulations is to increase those charges to ensure the Department operates in accordance with the principles of Managing Puhlic Money Northern Ireland (MPMNI) by seeking full cost recovery. Details of the increased fees will also be included in the charging scheme which sets out the fees and charges payable in respect of waste management licenses.

These Regulations amend the regulation 4 of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999. Regulation 4 sets out the process concerning applications for registration as a carrier, and applications for combined registration as both a carrier and a broker, of controlled waste, including the associated fees.

Also amended is paragraph 3(10) of Schedule 4 to the Waste Management Licensing Regulations (Northern Ireland) 2003, which sets out fees in relation to the registration of brokers and dealers in controlled waste.

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