EXPLANATORY MEMORANDUM TO

The Waste Regulations (Northern Ireland) 2019

SR 2019 No. 240

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under powers conferred by Section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Waste Regulations (Northern Ireland) 2019 makes minor and technical amendments to primary and subordinate legislation, to ensure that the requirements of the revised Waste Framework Directive have been met.

3. Background

3.1. The amendments made by these regulations subsitute references to the Waste Management Strategy with references to the Waste Management Plan. This more accurately reflects the wording of the Waste Framework Directive. Northern Ireland's existing Waste Management Strategy 2013 and Council Waste Management Plans meet the requirements for a Waste Management Plan. In December 2019 the Department of Agriculture, Environment and Rural Affairs published a Waste Management Plan rather than a replacement strategy. The amendments made by these regulations are consistent with this approach.

4. Consultation

4.1. The consultation on the draft Waste Management Plan Northern Ireland (between October and December 2019) received 12 substantive responses from stakeholders. None of these 12 respondents objected to the technical amendment proposed to the Waste and Contaminated Land (Northern Ireland) Order 1997.

5. Equality Impact

5.1. The changes made by this Statutory Rule have been screened out in terms of equality and rural proofing.

6. Regulatory Impact

6.1. An Impact Assessment was carried out as part of the original consultation process and concluded that introduction of these Regulations would have no major impact.

7. Financial Implications

7.1. The Statutory Rule is not expected to have any significant financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Statutory Rule complies with the provisions set out in Section 24.

9. EU Implications

9.1. The Statutory Rule ensures that the requirements of the revised Waste Framework Directive have been met.

10. Parity or Replicatory Measure

10.1. The Statutory Rule is not necessary for parity elsewhere.

11. Additional Information

11.1. Not applicable.