

## Waste Management (Jersey) Law 2005 (the ‘Law’)

### Application to Register as a Carrier of Hazardous Waste and/or Health Care Waste

It is a legal requirement under Article 38 that anyone carrying hazardous waste or healthcare waste in a motor vehicle on a public road must be registered as waste carrier, unless exempt under Article 39.

In accordance with Article 45(1) it is a duty of registered waste carriers to ensure that employees are suitably trained and any motor vehicle or other equipment that is used is appropriately designed and maintained.

Please read the guidance notes in section I.

Please note that the registration is renewable every three years and a fee is payable.

#### In what capacity are you registering? Please tick the appropriate box

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> <b>Individual / Sole trader</b><br>Complete section A and D to H | <input type="checkbox"/> <b>Company</b><br>Complete section B and D to H | <input type="checkbox"/> <b>States of Jersey Department</b><br>Complete section C and D to H |
| <input type="checkbox"/> <b>Partnership</b><br>Complete section A and D to H              | <input type="checkbox"/> <b>Other</b><br>Complete section B and D to H   |  |

#### Section A – Applicant details: Individual / Sole Trader / Partnership

Full name and title of individual /sole trader / partner:		
Full name and title of additional partners (continue on a separate sheet if necessary)		
Trading Name (if applicable):		
Correspondence address including post code:		
Primary contact name:		
Contact number:		Email:
Secondary contact name (if applicable):		
Contact number:		Email:

The partners must provide evidence of the partnership’s status under the Partnership (Jersey) Law 1994 or provide other evidence, for example, a copy of the partnership deed or agreement.

## Section B – Applicant details: Company / Organisation

Please note that the company must be incorporated under the Companies (Jersey) Law 1991 (or an equivalent law in another jurisdiction).

Company / Organisation Name:		
Trading name: (if applicable)		
Company Incorporation number:		
Registered office address including post code:		
Full names and positions of company officers (eg Company Directors / Company Secretary *)		
Description of the type of organisation (e.g. charitable organisation)		
Correspondence address including post code: (if different to above)		
Primary contact name:	Position:	
Contact number:	Email:	
Secondary contact name:	Position:	
Contact number:	Email:	

\* Please complete the details of the company officers on a separate sheet if necessary or provide a copy of the register(s) of officers.

## Section C – States of Jersey Department

Department name:	Ministerial Title:	
Contact name:		
Contact number:	Email:	
Correspondence address including post code:		

## Section D – Previous Convictions

Have you or any relevant person been convicted of any motoring offences (excluding parking offences), road safety offences or offences relating to waste management or environmental matters in the past five years? (see guidance notes 2, 3 and 4)

Yes (if Yes, please provide details below)

No

Full name of company or individual convicted	
Position (if applicable)	
Date of conviction:	
Name of court:	
Offence and penalty imposed:	

Additional information relating to the offence (For example any appeals lodged, why the offence occurred, actions taken to prevent offences in the future)

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## Section E – Experience qualifications and training

To enable you to register as a Carrier of Hazardous and/or Healthcare Waste you must be able to demonstrate that you are appropriately trained and competent.

Please provide details of the experience, qualifications and training in road transportation and the transportation of hazardous and/or healthcare waste, of all parties who will be involved in waste transportation eg Owners, Partners, Managers etc. (Continue on a separate sheet if necessary)

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## Section F – Additional details

Waste to be carried  Hazardous waste  Healthcare waste

How many vehicles will be used to carry the waste  1-5  6-10  11+

## Section G – Checklist

Please ensure the following documents are enclosed with this application

<input type="checkbox"/>	Partnership agreement, if applicable
<input type="checkbox"/>	Register(s) of company officers, if applicable
<input type="checkbox"/>	Continuation sheet, if applicable
<input type="checkbox"/>	Fee (Please enclose a cheque or contact the department for an invoice)

## Section H – Declaration

### Important information:

Before signing this form please read the following consent information carefully. It explains how personal data will be used and provides a brief description of an individual's rights under Jersey's Data Protection Law. For further information on how the Department of the Environment handles personal data please visit <http://www.gov.je/howweuseyourinfo>

### Consent of all parties named in this application

I confirm and agree:

- that this application is made with my authority and I am aware that it is an offence to submit false or misleading information with an application
- to pay all fees relating to my registration as a carrier of hazardous waste and/or healthcare waste (see guidance note 8)
- to the information supplied in this form, together with any other accompanying information, to be used to process my application to register as a carrier of hazardous waste and/or healthcare waste in accordance with the Waste Management (Jersey) Law 2005.
- that I will comply with the duties of registered waste carrier under Article 45 (see guidance note 7)
- that the information supplied in this form, together with any other accompanying information:
  - will be made available for public inspection along with the letter of registration while I am an operating as a registered carrier of waste
  - may be disclosed to the organisations listed below, where it is necessary, for example, to carry out compliance checks and investigations concerning breaches or potential breaches of law, for enforcement purposes and for providing statistical reports
    - The States of Jersey Police
    - Customs and Immigration Service
    - Other enforcement authorities in the Channel Islands, United Kingdom and Europe when necessary.
- that as a public authority, you are subject to the provisions of the Freedom of Information (Jersey) Law 2011. Under this Law you may be required to disclose information you hold, including the contents of this form and any other information I provide to you, unless the information is protected from disclosure by an exemption under the Law or any other enactment, including the Data Protection (Jersey) Law 2018.

- that you will not use my personal information for any other purpose, without my permission, unless you are legally required to do so.
- that under Jersey’s Data Protection Law I have the right to withdraw my consent to the further processing of my information. However, I understand that this may cause delays in administering my registration as a carrier of hazardous waste and/or healthcare waste or cause me to be in breach of other legal requirements. (Should you wish to exercise this right please contact us on tel. 441600).

**Applicant consent** - The application form should be to be signed by individual or authorised person representing the company or organisation or all members of a partnership as applicable)

Full name:		Signature:	
Position: (if applicable)		Date:	

**Additional partnership signatures**

Full name:		Signature:	
Position: (if applicable)		Date:	

**Additional partnership signatures**

Full name:		Signature:	
Position: (if applicable)		Date:	

Please continue on a separate sheet if there are additional members of the partnership

**Section I - Guidance notes**

1. Commercial Confidentiality – You are entitled to apply for a Certificate of Confidentiality under Article 94 of the Law if you consider that any of the information detailed in your application is a trade secret. The specific information will remain confidential while the application is processed and you will have the right to appeal should your application for a certificate of confidentiality be refused.
2. In accordance with Article 41(b) of the Law, the Minister for the Environment is entitled to consider the past conduct of the applicant, or any persons employed by the applicant, in relation to road safety and road transportation generally. Convictions for motoring offences do not prevent you from applying for a waste carrier registration as every application is considered on its merits.

3. The applicant should provide details of any relevant convictions as part of the application (section D), even if the applicant was not convicted but contributed to the offence by virtue of:
  - (a) committing it in the course of their employment by the applicant;
  - (b) committing it in the course of the carrying on of any business by a partnership, one of the members of which was the applicant;
  - (c) being a body corporate and at the time when the offence was committed the applicant was a director, manager, company secretary or other similar officer of that company;
  - (d) being a director, manager, company secretary or other similar officer of the applicant (where the applicant is a body corporate);
  - (e) being a body corporate and at the time when the offence was committed a director, manager, company secretary or other similar officer of the applicant held such an office in the body corporate which committed the offence.
  
4. In accordance with Article 41(b) of the Law, the Minister for the Environment is entitled to consider the past conduct of the applicant, or any persons employed by the applicant, in relation to the transportation of hazardous waste, waste management or environmental matters. Relevant laws relating to these matters include of those listed below, but this is not an exclusive list. If you have been convicted of offences which relate to such matters under laws which are not listed below and are unsure of how to complete the application form please contact the department.
  - (a) Waste Management (Jersey) Law 2005;
  - (b) Water Pollution (Jersey) Law 2000;
  - (c) Drainage (Jersey) Law 2005;
  - (d) Planning & Building Law (Jersey) Law 2002;
  - (e) Food and Environment Protection Act 1985 (Jersey) Order 1987;
  - (f) Health and Safety at Work (Jersey) Law 1989;
  - (g) Pesticides (Jersey) Law 1991;
  - (h) Statutory Nuisances (Jersey) Law 2000;
  - (i) Conservation of Wildlife (Jersey) Law 2000
  
5. The Minister will consider the application within three months of its receipt unless extended with the agreement of the applicant. During this period the Minister may consult with any relevant person(s) or body regarding the application. Should the Minister fail to determine the application within the specified time limit, this will be considered as a decision to refuse the application without stated reasons.
  
6. There is a right of appeal against any of the above decisions. An appeal must be made to the Royal Court within 21 days of the applicant being served with a written copy of the decision (or within such further time as the Royal Court may allow).
  
7. In accordance with Article 45 of the Law the duties of a registered waste carrier are as follows.
  - to ensure that all staff are suitably trained
  - to ensure that all vehicles and equipment used are appropriately designed and maintained for purpose
  - to comply with any conditions specified by the Minister in respect of the movement of waste
  
8. Please find details of all fees payable in relation to your application as a registered carrier of hazardous and/or health case waste on  
<https://www.gov.je/Home/WasteRecycling/SpecialWasteServices/Pages/ControlledWaste.aspx>