

STATES OF JERSEY



DRAFT WASTE MANAGEMENT (OECD REVISED DECISION) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 1st August 2006
by the Minister for Planning and Environment**

STATES GREFFE



Jersey

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REPORT

In order to bring into force the Waste Management (Jersey) Law 2005 in a form that will allow DEFRA to seek extension of the Basel Convention to Jersey it is necessary to make these Regulations which give effect to a revised decision of the OECD. The extension of the Basel Convention is required before Jersey is able to resume the export of hazardous waste for treatment or disposal.

There are no financial or manpower implications for the States arising from these Draft Regulations.

Explanatory Note

These Regulations amend the Waste Management (Jersey) Law 2005 to give effect to the minor amendments made on 18th March 2004 to the Decision of the Council of Ministers of the Organisation for Economic Co-operation and Development concerning the control of transfrontier movements of wastes destined for recovery operations. One of the Law's main purposes is to give effect to that Decision, by which Jersey is bound.

The opportunity is taken to make minor corrections in two references to the title of a relevant European Community Regulation and in respect of the transcription of a phrase used in Schedule 8 to the Law.

These present Regulations would come into force on the same day as the machinery provisions of the Waste Management (Jersey) Law 2005, namely on 1st November 2006.



Jersey

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Arrangement

Regulation

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Jersey

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Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES, in pursuance of Articles 108 and 110 of the Waste Management (Jersey) Law 2005, have made the following Regulations –

1 Interpretation

In these Regulations, “the Law” means the Waste Management (Jersey) Law 2005¹.

2 Article 1 of the Law amended

In Article 1 of the Law –

- (a) in the definition “European Union Regulation”, for the word “Union” there shall be substituted the word “Community”;
- (b) in the definition “OECD Decision”, after the expression “(C (2001) 107)” there shall be added the words “and on the 18th day of March 2004 (C (2004) 20)”.

3 Schedule 4 of the Law amended

- (1) In Schedule 4 to the Law, in Part 1, under the sub-heading “A3 Wastes containing principally organic constituents, which may contain metals and inorganic materials”, after the item A3190 but before the sub-heading “A4 Wastes which may contain either inorganic or organic constituents” there shall be added the following item –

“A3200 Bituminous materials (asphalt waste) from road construction and maintenance, containing tar (note the related entry in B2130 in Part B of this Schedule)”.

- (2) In Schedule 4 of the Law, in Part 2 –
 - (a) under the sub-heading “B1 Metal and metal-bearing wastes”, in the item “B1010” there shall be added the following –

“• Chromium scrap”;

- (b) under the sub-heading B1 “Metal and metal-bearing wastes”, after the item “B1030” there shall be inserted the following item –

“B1031 Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic dispersible form (metal powder) excluding such wastes as specified in list A under entry A1050 – Galvanic sludges”;

- (c) under the sub-heading “B1 Metal and metal-bearing wastes”, after the item B1240 but before the sub-heading “B2 Wastes containing principally inorganic constituents, which may contain metals and organic materials” there shall be added the following item –

“B1250 Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components”;

- (d) under the sub-heading “B2 Wastes containing principally inorganic constituents, which may contain metals and organic materials”, after the item B2120 but before the sub-heading “B3 Wastes containing principally organic constituents, which may contain metals and inorganic materials” there shall be added the following item and footnote –

“B2130 Bituminous material (asphalt waste) from road construction and maintenance, not containing tar^a (note the related entry on List A, A3200)

Footnote a: The concentration level of Benzol[a]pyrene should not be 50 mg/kg or more”;

- (e) under the sub-heading “B3 Wastes containing principally organic constituents, which may contain metals and inorganic materials”, after the item B3030 there shall be inserted the following item –

“B3035 Waste textile floor coverings, carpets”;

- (f) under the sub-heading “B3 Wastes containing principally organic constituents, which may contain metals and inorganic materials”, after the item B3060 there shall be inserted the following item –

“B3065 Waste edible fats and oils of animal or vegetable origin (e.g. frying oils), provided they do not exhibit an Annex III characteristic”.

4 Schedule 5 of the Law amended

- (1) In Schedule 5 to the Law, in Part 1, the item “AC020” shall be deleted.
- (2) In Schedule 5 to the Law, in Part 2 –
- (a) the item “GA 300” and its footnote shall be deleted;
- (b) the item “GC040” shall be deleted;
- (c) the words “The following metal and metal alloy wastes in metallic dispersible form” and the entries in respect of the items “GC090”, “GC100”, “GC110”, “GC120”, “GC130” and “GC140” shall be deleted;

- (d) the entry item "GG160" shall be deleted;
- (e) the sub-heading "Textile Wastes" and the item "GJ140" shall be deleted;
- (f) the sub-heading "Wastes Arising from Agro-Food Industries" and the item "GM140" shall be deleted.

5 Schedule 8 of the Law amended

- (1) In Schedule 8 to the Law, in Part 2, in paragraph 5(d), for the words "European Regulation" there shall be substituted the words "European Community Regulation".
- (2) In Schedule 8 to the Law, in Part 3, in paragraph 12(1), after the words "the case is" there shall be inserted the word "not".

6 Citation and commencement

- (1) These Regulations may be cited as the Waste Management (OECD Decision) (Jersey) Regulations 200-.
- (2) These Regulations come into force on the same day as Article 113 of the Waste Management (Jersey) Law 2005.

¹

L.7/2005