

Short Guidance

Paragraph 42 The Waste Management Transitional Arrangements for the Treatment, keeping or Disposal at Any Premises, of Scrap Metal or Waste Motor Vehicles, which are to be Dismantled Pending the Issue of a Licence.

A guide to the legislation is given below. Read through this to help you decide if this exemption covers the type of activity that you wish to undertake.

Exempted activity

Paragraph 42 allows the treatment, keeping or disposal by any person at any premises of scrap metal or waste motor vehicles which are to be dismantled if:

- a) he was carrying out the activity in question before 19th December 2003; and
- b) he had applied before that date for a waste disposal licence under Part II of the Pollution Control and Local Government Order (NI) 1978, authorising the activities described, and the application is pending on the 19 December 2003.

This exemption will cease to have effect in relation to the above activities when the outcome of the waste disposal licence application is determined.

Waste Stream(s) Permitted

Scrap metal and waste motor vehicles.

Additional Conditions

The exemption will cease to have effect in relation to the carrying on of the activities at those premises on the date on which the licence applied for is granted.

If the application for a waste disposal licence is (or is deemed to be) rejected, the exemption will expire on the date on which:

- a) The period for appealing expires without an appeal being made; or
- b) Any appeal is withdrawn or finally determined

This exemption is only suitable for an applicant who had applied for a waste disposal licence for his premises prior to 19th December 2003. New applicants will be required to apply for either a Waste Management Licence, or a Paragraph 45 exemption, depending upon the activity they wish to undertake.

What the legislation says

The full wording of the paragraph 42 exemption can be found in Schedule 2 of the Waste Management Licensing Regulations (Northern Ireland) 2003. These Regulations have been amended a number of times. Please see the following link:-

<http://www.legislation.gov.uk/nisr/2003/493/schedule/2/made>

Relevant Objectives in relation to the disposal or recovery of waste are given in paragraph 4 of Schedule 3 to the Regulations.

Paragraph 42 is **NOT** required to be registered in accordance with the Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended).

For further information, please contact:-

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