

**2011 No. 312 (C. 23)**

**ENVIRONMENTAL PROTECTION**

**The Waste and Contaminated Land (Amendment) (2011 Act)  
(Commencement No. 1) Order (Northern Ireland) 2011**

*Made* - - - - *12th September 2011*

The Department of the Environment makes the following Order in exercise of the power conferred by section 12(1) of the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011(a).

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Waste and Contaminated Land (Amendment) (2011 Act) (Commencement No. 1) Order (Northern Ireland) 2011.

(2) In this Order—

“the 1997 Order” means the Waste and Contaminated Land (Northern Ireland) Order 1997(b);

“the 2007 Order” means the Waste (Amendment) (Northern Ireland) Order 2007(c); and

“the 2011 Act” means the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011.

**Appointed day**

**2.** The day appointed for the coming into operation of the provisions of the 2011 Act specified in the Schedule shall be 17th October 2011.

Sealed with the Official Seal of the Department of the Environment on 12th September 2011.



*Wesley Shannon*  
A senior officer of the  
Department of the Environment

---

(a) 2011 c. 5 (N.I.)  
(b) S.I. 1997/2778 (N.I. 19)  
(c) S.I. 2007/611 (N.I. 3)

# SCHEDULE

Article 2

## Provisions coming into operation on 17th October 2011

| <i>Provisions of the 2011 Act</i>        | <i>Subject matter</i>  |
|--|--|
| Section 3                                | Offence of failing to pay charge for subsistence of licence  |
| Section 6                                | Right of entry with heavy equipment or to domestic premises  |
| Section 10                               | Producer responsibility obligation regulations   |
| Section 11(1) and Schedule 1 (partially) | The following amendments only of the 1997 Order, as set out in paragraphs 1 and 4 of Schedule 1 to the 2011 Act—<br><br>In Article 27(2) after “controlled waste” insert “in or”.<br>In Article 82—<br><br>(a) in paragraph (1) at the beginning insert “Except as provided by paragraph (1A),”; and<br>(b) after paragraph (1) insert—<br>“(1A) No order shall be made under Article 4A(10), 5A(10), 22B(5) or 42B(10) unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.”. |
| Section 11(2) and Schedule 2 (partially) | The following repeals only of the 1997 Order, as set out in the second column of Schedule 2 to the 2011 Act—<br><br>Article 72(4)(a).<br>In Schedule 4, paragraph 2(3).<br><br>The following repeal only of the 2007 Order, as set out in the second column of Schedule 2 to the 2011 Act—<br><br>Article 18(1)(c).  |

### EXPLANATORY NOTE

*(This note is not part of the Order)*

The Department is exercising the power conferred by section 12(1) of the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011 for the first time. This Order brings into operation on 17th October 2011 the provisions of the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011 listed in the Schedule.

© Crown Copyright 2011

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Assembly

£4.00

N5033 09/2011 415033T 19585

ISBN 978-0-337-98533-1



9 780337 985331