

DRAFT WASTE MANAGEMENT (JERSEY) LAW 200- (P.211/2002): AMENDMENTS

**Lodged au Greffe on 10th June 2003
by the Environment and Public Services Committee**



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DRAFT WASTE MANAGEMENT (JERSEY) LAW 200- (P.211/2002): AMENDMENTS

PAGE 60, ARTICLE 16 –

In paragraph (2), after the words “Paragraph (1) refers” insert the word “to”.

PAGE 80, ARTICLE 39 –

For paragraph (1) substitute the following paragraphs –

“(1) The prohibition in Article 38(1) shall not apply to the carrying of hazardous waste or health care waste in any of the following circumstances –

- (a) if it is household waste, and it is being carried in a private motor vehicle;
- (b) if it is being carried in the course of conducting a business that provides a service at any place other than the premises in which the business is situated, and it is being carried as an incidental aspect of the provision of that service, and its carriage does not significantly endanger human health, the environment or flora or fauna;
- (c) if it is carried only within the premises in which it is situated;
- (d) if it is a sample that is being taken in a reasonable quantity to a laboratory for analysis, testing or evaluation; or
- (e) if it is health care waste from a medical, dental or veterinary practice, or from the business of an undertaker or embalmer, and it is being taken to premises that may lawfully be used for the purpose for which it is taken there.

(2) If the Committee is satisfied that the carrying of hazardous waste or health care waste in any specified circumstances will not significantly endanger human health, the environment or flora or fauna, the Committee may by Order declare that the prohibition in Article 38(1) shall not apply to the carrying of hazardous waste or health care waste in those circumstances.”,

and renumber the existing paragraphs (2) and (3) as (3) and (4) respectively.

In paragraph (4) (as so renumbered), for the word “waste” substitute the words “hazardous waste or health care waste”.

PAGE 87, ARTICLE 49 –

In paragraph (1), delete the word “applies”.

ENVIRONMENT AND PUBLIC SERVICES COMMITTEE

Report

ARTICLE 16

The proposed amendment rectifies a clerical omission.

ARTICLE 39

The proposed amendments exempt, from the requirement for the registration of persons carrying hazardous waste or health care waste, any business that only does so as an incident of a service away from its own premises - for example, a marine mechanic who removes waste oil from a marina after servicing a boat there.

They also enable the Environment and Public Services Committee to grant other exemptions by Order, where there is no significant hazard. This will enable the Committee to relieve other inconsequential activities of the requirement for registration, if cases for doing so arise in the course of the practical administration of the draft Law.

The opportunity is also taken to effect a drafting improvement in Article 39(4).

ARTICLE 49

The proposed amendment corrects a clerical oversight.