

**2011 No. 551 (W. 77)**

**ENVIRONMENTAL  
PROTECTION, WALES**

**The Recycling, Preparation for Re-  
use and Composting Targets  
(Definitions) (Wales) Order 2011**

**EXPLANATORY NOTE**

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

Section 3 of the Waste (Wales) Measure 2010 (“the Measure”) establishes statutory targets for the percentage of a local authority’s municipal waste which must be recycled, prepared for re-use and composted.

This Order supplements the Measure, by setting out when local authority municipal waste is recycled (article 3), prepared for re-use (article 4) and composted (article 5) for the purposes of those targets.

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(Definitions) (Wales) Order 2011**

*Made* *25 February 2011*

*Laid before the National Assembly for Wales*

*1 March 2011*

*Coming into force* *30 March 2011*

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 3(6) and 19(1) of the Waste (Wales) Measure 2010<sup>(1)</sup>.

The Welsh Ministers have consulted those persons which they are required to consult by section 8(1) of that Measure.

**Title, application and commencement**

1. The title of this Order is the Recycling, Preparation for Re-use and Composting Targets (Definitions) (Wales) Order 2011; it applies in relation to Wales and comes into force on 30 March 2011.

**Interpretation**

2.—(1) In this Order —

“the Measure” (“*y Mesur*”) means the Waste (Wales) Measure 2010;

“recovery operation” (“*gweithred adennill*”) means any operation involving the reprocessing, checking, cleaning, repairing, composting or anaerobic digestion of waste the principal result of which is waste capable of serving a purpose;

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(1) 2010 nawm 8

“the targets” (“*y targedau*”) means the recycling, preparation for re-use and composting targets specified in section 3(3) of the Measure.

### **Recycling**

**3.—**(1) Local authority municipal waste<sup>(1)</sup> is recycled for the purpose of the targets when—

- (a) the waste has undergone a reprocessing recovery operation; and
- (b) the waste is reprocessed into a product, material or substance, whether for its original or other purpose.

(2) But local authority municipal waste is not recycled for the purposes of the targets if it is used for fuel or for backfilling operations.

(3) In this article, a “backfilling operation” means an operation where waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping.

### **Preparation for Re-use**

**4.—**(1) Local authority municipal waste is prepared for re-use for the purpose of the targets when—

- (a) a waste product or component of a waste product has undergone a checking, cleaning or repairing recovery operation; and
- (b) the waste product or component of a waste product can be re-used for its original purpose.

### **Composting**

**5.—**(1) Local authority municipal waste is composted for the purpose of the targets when—

- (a) biodegradable waste has undergone a recovery operation of composting or anaerobic digestion; and
- (b) the waste has been reprocessed into a product, material or substance that is capable of use as a soil conditioner, fertiliser or growing medium.

(2) In this article, “composting” means the biological treatment of waste where the decomposition and

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(1) Local authority municipal waste is defined in section 3(8) of the Measure as the total amount by weight of each of the following: all the waste collected by a local authority under section 45 of the Environmental Protection Act 1990 (c.43); all waste deposited at places provided by a local authority under subsection (1)(b) and (3) of section 51 of that Act; and such other waste as may be specified by order of the Welsh Ministers.

stabilisation of the waste is achieved through microbial activity from an aerobic process.

(3) In this article, “anaerobic digestion” means the biological treatment of waste where the decomposition and stabilisation of the waste is achieved through microbial activity from an anaerobic process.

*Jane Davidson*

Minister for Environment, Sustainability and Housing,  
one of the Welsh Ministers

25 February 2011