

Waste carriers dealer and brokers - who needs to register?

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Summary

There is a two-tier system for waste registration based on level of risk. This guidance will help you decide whether you need to be registered, and if so, which level of registration is right for you.

You can contact the Environment Agency for further information on **03708 506 506**.

To understand if you need to register, you might find it useful to answer the following questions

Pointer Questions

The questions

Use the pointer questions below to help you ask the right questions to decide whether or not you or any other person should register.

1. Is it controlled waste?

You must first decide whether the material to be carried is controlled waste

Your decision

If you are not sure whether it is controlled waste, obtain legal advice

We do **not** require the carrier broker or dealer to register if the waste is not controlled waste

2. Is the waste carried for business or profit?

You must identify whether the waste is being carried 'in the course of any business' or with 'a view to a profit'. This includes businesses that are not waste contractors or skip operators but which transport waste.

Your decision

We **do not** require the carrier to register:

- if they are not carrying waste as part of their business or for profit
 - they are a householder carrying their own waste
-

3. Is it carried within Great Britain, is the brokering or dealing taking place in relation to waste in Great Britain?

You must identify whether the waste is to be transported, brokered or purchased or sold within Great Britain or overseas. This could be by road, rail, air, sea or inland waterway.

Your decision

We **do** require the carrier to register if the waste is transported for profit within Great Britain

We **do not** require registration:

- if the waste is being moved between different places within the same premises
 - if the waste is being received directly from, or dispatched directly to, another country (that is not Great Britain). Any subsequent or previous movement of that waste within Great Britain would require registration.
-

4. Is the carrier the waste producer?

Your decision

If you carry controlled wastes for profit within Great Britain

And you are not the waste producer you **do** need to register

If you are the waste producer (see [definitions](#)) you generally **do not** need to register as a carrier when carrying your own waste until after the end of December 2013. However, waste producers who are not otherwise specified persons, **do** currently need to register as an upper tier carrier if the waste they produce and carry is construction or demolition waste (see [definitions](#)).

5. Can you register in the lower tier – are you a specified person?

- (see [definitions](#))
-

6. For a lower tier carrier – do they normally and regularly carry the waste as part of business or otherwise for profit?

You must identify whether specified person is 'normally and regularly' carrying the waste 'in the course of any business' or with 'a view to profit'.

Your decision

We **only** require a lower tier carrier to register if they are both:

carrying controlled wastes within Great Britain as part of their business or for profit AND

they are normally and regularly carrying waste (see [definitions](#))

Trades and services

Who needs to register? Overview waste carriers

In this chapter This chapter includes examples of activities that you might find helpful to illustrate whether you, or another person, needs to be registered as a carrier when carrying controlled wastes

The principles apply even if the trade or activity is NOT listed below. For the principles in detail refer to the [pointer questions](#).

Note that from the end December 2013 all [waste producers](#) (see [definitions](#)) who normally and regularly carry their own waste as part of their business or otherwise for profit will need to be registered as lower tier carriers.

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| Who | Activity | Need to register before end Dec 2013? | Need to register after end Dec 2013? | Upper or Lower Tier? |
|---------------------------------------|---|--|---|-----------------------------|
| Carper fitters | Laying new carpet and carrying away the old carpet or removing off cuts | No | Yes | Lower |
| Electricians and plumbers | Carrying construction and demolition (see definitions) that they have removed i.e. sinks, baths etc | Yes | Yes | Upper |
| Electricians and plumbers | Carrying away off-cuts of pipes etc and i.e. not construction and demolition wastes | No | Yes | Lower |
| Chimney sweeps | Carrying ashes they have removed from chimneys | No | Yes | Lower |
| Fencing contractors | Carrying fences they have removed | Yes as is construction and demolition wastes | Yes | Upper |
| Gardeners, landscapers, tree surgeons | Carrying away shrubs and green wastes they have removed | No | Yes | Lower |
| Gardeners, landscapers, tree surgeons | Carrying away construction wastes ie walls etc they have removed | Yes | Yes | Upper |

| Who | Activity | Need to register before end Dec 2013? | Need to register after end Dec 2013? | Upper or Lower Tier? |
|---|--|--|---|-----------------------------|
| House clearance | Carrying away wastes removed from houses | Yes | Yes | Upper |
| Rag and bone men | Collecting and carrying away wastes from houses/businesses | Yes | Yes | Upper |
| Householders | Taking their waste to the tip – or others wastes without any profit | No | No | N/A |
| Nurses and healthcare operatives | Carrying waste produced as a result of their care | No | Yes | Lower |
| Nurses and healthcare operatives including pharmacies | Providing a service to carry away wastes produced by patients not as a result of their care activities and not as part of the business or for profit | No | No | N/A |
| Mobile mechanic | Removing wastes produced as a result of his activity | No | Yes | Lower |
| Mobile mechanic | Removing waste that was produced by someone else | Yes | Yes | Upper |

| Who | Activity | Need to register before end Dec 2013? | Need to register after end Dec 2013? | Upper or Lower Tier? |
|---|--|--|---|-------------------------------|
| Police, fire service, ambulances | Removing wastes but not as a business or for profit. | No | No | N/A |
| Wheelie bin cleaners | Removing and carrying away wastes from the bin | Yes | Yes | Upper |
| Wheelie bin cleaners | Only carrying waste waters from the washings produced during cleaning | No | Yes | Lower |
| Lower tier waste carrier organisations i.e. charities; voluntary organisations; waste disposal and waste regulation authorities | Carrying construction and demolition wastes | Yes | Yes | Lower |
| Lower tier registrants by virtue of waste types | Carrying waste other than agricultural waste, mines and quarries or animal by-products | Yes | Yes | Upper |
| Anyone carrying samples of a non waste | For any reason including to determine whether is waste | No | No | N/A – not classified as waste |

| Who | Activity | Need to register before end Dec 2013? | Need to register after end Dec 2013? | Upper or Lower Tier? |
|---|--|--|---|-----------------------------|
| Anyone carrying samples of waste that are produced by someone else or are construction and demolition | For any reason | Yes | Yes | Upper |
| Tyre fitters | Replacing and carrying away old tyres | No | Yes | Lower |
| Any tradesman | Normally and regularly carrying waste he has produced that is not construction or demolition waste (see definitions) | No | Yes | Lower |
| Any tradesman | Carrying waste he has produced that is not on a normal or regular basis (see definitions) | No | No | N/A |

Are you interested in a trade type or an activity not mentioned above? If so refer to the [pointer questions](#) or call **03708 506 506**.

Who needs to register? Overview for waste brokers/dealers

In this chapter This chapter includes examples of activities to assist you with decisions as to whether a person needs to be registered as a broker/dealer.

Note you need to register as a broker or dealer if you undertake the activities of brokering or dealing whether or not you physically take possession of the waste at any time.

NB you are no longer excluded from registering as a waste broker or dealer if you take physical possession of the waste as was the case under the old legislation.

| Topic | See page |
|---|----------|
| Police | |
| Letting agencies/shopping centre managers | |
| Primary care trusts | |
| Waste exchange schemes | |

| Who | Activity | Need to register? | Upper or lower tier? | Broker and/or dealer? |
|---|--|-------------------|----------------------|-----------------------|
| Police | Directing waste to be disposed of | No | N/A | N/A |
| Letting Agency/shopping centre managers | Arrange for removal of waste from rented accommodation/premises | Yes | Upper | Broker |
| Primary care trust | Arrange for disposal of waste from surgeries | Yes | Upper | Broker |
| Waste exchange | Provide a forum for people to freely seek and buy or sell wastes | No | N/A | N/A |
| Waste exchange | Taking actions to direct the fate of wastes ie bringing wastes and people together | Yes | Upper | Broker |
| Waste exchange | Using an agent to buy wastes and subsequently selling them | Yes | Upper | Broker/Dealer |

Are you interested in a trade type or an activity not mentioned above? If so refer to the [pointer questions](#) or call **03708 506 506**.

Who is covered by your registration?

If you are registered this enables people employed by you to benefit from your registration but only if they are acting for you in the course of their employment.

Contractors, sub-contractors or agents of a registered person are not covered by that person's registration.

We can only register a legal entity. If you have any queries on this, please ring **03708 560 560**.

| Registered person | Who is covered by the registration? |
|---|---|
| Individual | Individual Person employed by that individual as an employee undertaking work for the individual |
| Company | Anyone employed by the Company as an employee undertaking work for the company |
| Partners | Any specified partner Anyone employed by the partnership as an employee undertaking work for the partnership. |
| Charity or voluntary organisation | Anyone employed by the charity or voluntary organisation undertaking work for the charity or voluntary organisation. |
| The Local Authority | Any employee of the LA undertaking work on behalf of the LA. |
| The Secretary of State for a department | Any employee of the department whilst undertaking work on behalf of the department. Note the registration would apply to all parts of the department. |