



Department
for Environment
Food & Rural Affairs



Llywodraeth Cymru
Welsh Government

27th July 2015

Dear Consultee,

Consultation on the revised Waste Duty of Care Code of Practice

Defra and the Welsh Government have published a consultation on the **revised Waste Duty of Care Code of Practice**. The consultation can be found on Gov.uk.

The Duty of Care is a legal requirement for those dealing with certain kinds of waste to take all reasonable steps to keep it safe and is set out in the [Environmental Protection Act 1990](#) (EPA). It applies to anyone who is a holder of household, industrial and commercial waste, known as controlled waste.

The purpose of the Code of Practice is to give simple, clear and practical guidance on what those who import, produce, carry, keep, treat or dispose of controlled waste have to do to fulfil their legal duty of care obligations. The current Code of Practice does not reflect a number of important legislative changes relating to the duty of care that have been introduced since its publication in 1996.

Section 34(7) of the EPA requires the Government to consult with persons and bodies, representative of the interests concerned, before issuing a Code of Practice.

In revising the Code of Practice we have tried to:

- a) explain the legislative requirements of the duty of care, and make clear who and what they apply to;
- b) provide guidance so that each user understands how to demonstrate compliance with the duty of care;
- c) signpost other legislative requirements that apply to the management of waste and must be complied with alongside the duty of care in particular circumstances; and
- d) publish in a format that meets the needs of the user.

Through this consultation, we invite your views and comments on whether the revised duty of care Code of Practice offers clear fit for purpose and practical guidance to holders of waste. Please complete your responses to the consultation on [citizen space consultation system](https://consult.defra.gov.uk/waste/the-revised-waste-duty-of-care-code-of-practice) - (<https://consult.defra.gov.uk/waste/the-revised-waste-duty-of-care-code-of-practice>).

The consultation closes on **Monday 21st September 2015**.

Thank you for your help in this matter. If you have any queries, please contact us on WasteDutyofCare@defra.gsi.gov.uk.

Yours faithfully

Waste Regulation and Crime Team
Department for Environment, Food and Rural Affairs