

For Office Use Only:

Application Reference Number:

Return Number (If Applicable):



**Waste Facility Permit or Certificate of Registration Transfer
Application Form**

**Guidance Notes
&
Application Form**

Kilkenny County Council

Introduction:

This form is for the purpose of transferring an existing Waste Facility Permit or a Certificate of Registration issued under the Waste Management (Facility Permit and Registration) Regulations S.I No. 821 of 2007 and the Waste Management (Facility Permit and Registration) Amendment Regulations S.I No. 86 of 2008 (hereafter referred to as the Regulations);

- (a) The making of an application for a transfer of a Waste Facility Permit;
- (b) The making of an application for a transfer of a Certificate of Registration.

The Guidance Manual and application form are available to download from [www.kilkennycoco.ie/eng/Services/Environment/Waste Regulations/Waste Facility Permits and Certs of Registration/](http://www.kilkennycoco.ie/eng/Services/Environment/Waste_Regulations/Waste_Facility_Permits_and_Certs_of_Registration/) or from www.epa.ie/wastepermit

Guidance on the Application Form:

- This application form is for the transfer of a waste facility permit, or the transfer of a certificate of registration from one operator to another.
- The form is to be completed by the current holder of the permit and the transferee.
- The transfer of a waste facility permit is made under Article 27 of the Regulations
- The transfer of a certificate of registration is made under Article 38(6) of the Regulations
- Upon transfer to the new operator, the permit /certificate will remain the same as previously, unless a review application is also made.
- The new operator must be able to comply with the requirements of an application as provided in the Regulations.
- All questions in Section A must be answered.
- Only the relevant questions in Section B require answering.
- The form must be signed in Section C by both the current permit holder and the proposed new operator.
- Attachments should be clearly numbered, titled and paginated and must contain the required information as set out in the application form.

Additional Documents to be Included:

- The following documents must be supplied with the application. Any application which does not contain all of the relevant documents will be contacted by the local authority to supply the missing documents within a set timescale. Any application which still has missing information at the end of the set timescale will be deemed invalid by the local authority and rejected.
- A copy of the current tax clearance / C2 certificate issued to the applicant(s) by the Revenue Commissioners, or appropriate certificate from the relevant tax authority for non-domiciled applicants.
- Where applicable, a copy of the company registration document must be supplied.
- The correct application fee as specified in the fifth schedule of the Regulations.

1 original and 2 copies of all documents must be submitted

About these Guidance Notes:

These guidance notes have been developed to assist applicants in the preparation of a transfer of a waste facility permit, or the transfer of a certificate of registration from one operator to another. This document does not purport to be and should not be considered a legal interpretation of the provisions and requirements of the Waste Management (Facility Permit and Registration) Regulations S.I No. 821 of 2007 and the Waste Management (Facility Permit and Registration) Amendment Regulations S.I No. 86 of 2008.

While every effort has been made to ensure the accuracy of the material contained in this document, the competent authority assumes no responsibility and gives no guarantees; undertakings and warranties concerning the accuracy, completeness or up-to-date nature of the information provided herein and does not accept any liability whatsoever arising from any errors or omissions.

If you need to contact Kilkenny County Council's Environment Section concerning your application, please use the numbers provided in the table below.

<p>Kilkenny County Council Environment Section: 056-7794470</p>
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For more detailed guidance on the waste facility permit system please refer to the Waste Facility Permit manual at www.epa.ie/wastepermit

Section A: About the facility being transferred to another operator

A.1 Waste facility permit or certificate of registration number to be transferred.

Permit Number:	
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A.2 Facility name and address.

Facility Name	
Address:	
Tel:	
Fax:	

A.3 Detail the class or classes of activity being carried out at the facility as per the Third Schedule, Part 1 or Part 11 of the Waste Management (Facility Permit and Registration) Regulations 2007-2008.

Class of Activity:	
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A.4 Who is the current operator of this facility?

Facility Operator:	
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A.5 Contact details for person or persons in relation to the application for transfer.

Contact Details of current facility operator:	
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A.6 When does the transferee require the transfer to take effect?

Date of proposed transfer:	
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Section B: About the Applicant

This section relates to the applicant or transferee who will be operating the facility following the transfer of the waste facility permit or a certificate of registration.

B.1 Full name of applicant(s).

Name(s):	
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B.2 Name, address and contact details of proposed applicant.

Contact Details of Applicant for Transfer :	
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B.3 Any Trade Name(s) the facility will be operated under.

Trade Name:	
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If the applicant is a sole trader, the next two sections do not need to be completed.

To be Completed by Applicants who are a Body Corporate

B.4 Is the applicant a body corporate?

Yes
 No

If yes, provide the following as appropriate:

- (a) Certified Copy of Certificate of Incorporation
- (b) Company's Number in Company's Registration Office and
- (c) Particulars of Registered Office of the Company

Company Number:	
Document Reference:	

The address of the principal place of business, or in the case of a body corporate the registered office, of the applicant(s) and, where applicable, the telephone number, telefax number and e-mail address of the applicant(s), and, if different, any address to which correspondence relating to the application should be sent:

Address:	
Tel:	
Fax:	
e-mail:	
Contact Name:	

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If the applicant is a body corporate please give the names of any person who is a director, manager, company secretary or similar officer of the body corporate:

Name and position:	
Name and position:	
Name and position:	
Name and position:	
Name and position:	

To be Completed by Partnerships

B.5 Is the applicant a partnership?

Yes
No

If the applicant is a partnership, give the names and addresses of all partners:

Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

Technical Competence (Fit and Proper Person)

B.6 Please detail the applicants technical knowledge and qualifications relevant to the management of a waste facility. Please use a separate sheet if required.

Document(s) Reference:

Relevant Convictions

B.7 Has the applicant, including in the case of a body corporate any officer of that body corporate, been convicted of an offence under the Waste Management Act 1996-2007, the Environmental Protection Agency Acts 1992 and 2003, the Local Government (Water Pollution) Acts 1977 and 1990 or the Air Pollution Act 1987,

Yes
No

If yes, please include a supplementary sheet detailing the court hearing, case, nature of the offence and any penalty or requirements imposed by the court. Where there is more than one offence to be considered, please use a separate sheet for each offence.

Document Reference:	
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Financial Commitment Discharge

B.8 In the event of the application being granted, the applicant must provide particulars to demonstrate how the financial commitments or liabilities entered into by operating the site may be discharged. This includes details of how the site will be cleared should operations at the facility cease:

Document(s) Reference:	
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Section C: Signatures

This section must be signed by an authorised representative of **both** the current **Waste Facility Permit** and the proposed new operator or the current **Certificate of Registration** holder and the proposed new operator. If one signature is missing, the application cannot be progressed until such time as proof that the current holder agree to the transfer is supplied. If the current holder is a body corporate, the signatory of the transfer must be an authorised officer of the body for such transfers.

Current Holder:

Name of Operator Representative:

Name:	
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Position within Organisation (if body corporate or partnership):

Position:	
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Signature:

Signature:	
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Date:

Date:	
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Applicant (Transferee):

Name of applicant:

Name:	
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Position within Organisation (if body corporate or partnership):

Position:	
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Signature:

Signature:	
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Date:

Date:	
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