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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 204**

**ENVIRONMENTAL PROTECTION**

**The Pollution Prevention and Control (Designation of  
Waste Incineration Directive) (Scotland) Order 2003**

*Made* - - - - *17th March 2003*

*Coming into force* - - *1st April 2003*

The Scottish Ministers, in exercise of the powers conferred by paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Pollution Prevention and Control (Designation of Waste Incineration Directive) (Scotland) Order 2003 and shall come into force on 1st April 2003.

(2) This Order extends to Scotland only.

**Designation**

2. Council Directive [2000/76/EC](#) of 4th December 2000 on the incineration of waste<sup>(2)</sup> is designated as a relevant directive for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999.

St Andrew's House, Edinburgh  
17th March 2003

*ROSS FINNIE*  
A member of the Scottish Executive

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(1) [1999 c. 24](#). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 5(3) of that Act and section 53 of the Scotland Act [1998 \(c. 46\)](#).  
(2) O.J. No. L 332, 28.12.2000, p.91.

**Status:** This is the original version (as it was originally made).

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## EXPLANATORY NOTE

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

This Order designates Council Directive [99/31/EC](#) on the incineration of waste (“the Waste Incineration Directive”) as a relevant directive for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999 (“the Act”).

Schedule 1 to the Act specifies particular purposes for which provision regulating polluting activities may be made under section 2 of the Act. Paragraph 20(1)(b) allows for making provision which corresponds to or is similar to any provision made, or capable of being made, under section 2(2) of the European Communities Act 1972 in connection with one of the relevant directives. The relevant directives are Council Directive [96/61/EC](#) concerning integrated pollution prevention and control, Council Directive [75/442/EEC](#) on waste, as amended, and any other directive of the Council of the European Communities designated by the Scottish Ministers for the purposes of this paragraph by order made by statutory instrument.