

**2003 No. 600**

**ENVIRONMENTAL PROTECTION**

**The Pollution Prevention and Control (Designation of Solvent Emissions Directive) (Scotland) Order 2003**

*Made* - - - - - *9th December 2003*

*Coming into force* - - - - - *15th January 2004*

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(a), 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 Solvent Emissions Directive) (Scotland) Order 2003 and shall come into force on 15th January 2004.

(2) This Order extends to Scotland only.

**Designation**

**2.** Council Directive 1999/13/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations(b) is designated for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999(c).

*ALLAN WILSON*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
9th December 2003

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(a) 1999 c.24; the functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 5(3) of the 1999 Act and section 53 of the Scotland Act 1998 (c.46).

(b) O.J. No. L 85, 29.3.99, p.1.

(c) The designation makes Council Directive 1999/13/EC one of "the relevant directives" as defined in paragraph 20(2) of Schedule 1 to the 1999 Act.

## EXPLANATORY NOTE

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

This Order designates Council Directive 1999/13/EC on the limitation of volatile organic compounds due to the use of organic solvents in certain activities and installations (“the Solvent Emissions 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”).

The purpose of the designation is to enable the powers in the Act to be used to transpose the Solvent Emissions Directive.

Schedule 1 to the Act specifies particular purposes for which provision regulating polluting activities may be made under section 2 of the 1999 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 that paragraph by order made by statutory instrument.

The following Orders under these powers have been made:

- (a) an Order was made on 3rd November 2002 and entered into force on 4th November 2002 (S.S.I. 2002 No. 488) designating:
  - (i) Council Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants; and
  - (ii) Council Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants entered into force on 4th November 2002;
- (b) an Order was made on 10th March 2003 and entered into force on 1st April 2003 (S.S.I. 2003 No. 185) designating Council Directive 99/31/EC on the landfill of waste; and
- (c) an Order was made on 17th March 2003 and entered into force on 1st April 2003 (S.S.I.2003 No. 204) designating Council Directive 2000/76/EC on the incineration of waste.

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