

SCHEDULE 11

CONSEQUENTIAL MODIFICATIONS

PART 2

SUBORDINATE LEGISLATION

The Waste Management Licensing (Scotland) Regulations 2011

24.—(1) The Waste Management Licensing (Scotland) Regulations 2011 ^{M1} are amended in accordance with sub-paragraphs (2) to (9).

(2) In regulation 2(1) (interpretation), omit the definition of “the 2000 Regulations” and insert after the definition of “ the 2011 Regulations ”

““the 2012 Regulations” means the Pollution Prevention and Control (Scotland) Regulations 2012;”.

(3) For regulation 3(h) (relevant offences) substitute—

“(h) regulation 67(1) of the 2012 Regulations;”.

(4) In regulation 16 (exclusion of activities under other control regimes from waste management licensing)—

(a) in paragraph (1)(c) to (e), for the “2000 Regulations” substitute “ the 2012 Regulations ”, and

(b) for paragraph (3) substitute—

“(3) In paragraph (1)(c), “Part A installation” has the meaning given by regulation 12 of the 2012 Regulations.”.

(5) In regulation 21(3)(b) (register of exempt activities: registration of information), for “the 2000 Regulations” substitute “ the 2012 Regulations ”.

(6) In regulation 30(2)(c) (registration of brokers and dealers), for “the 2000 Regulations” substitute “ the 2012 Regulations ”.

(7) In Schedule 1 (activities exempt from waste management licensing)—

(a) for paragraph 5(1), substitute—

“(1) Burning of biomass waste or animal carcasses to the extent that doing so is, or forms part of, an activity falling within paragraphs (a) or (b) of Part B of Section 5.1 of Part 1 of Schedule 1 to the 2012 Regulations.”,

(b) in paragraph 9(2), for “regulation 7 of the 2000 Regulations” substitute “ regulation 11 of the 2012 Regulations ”, and

(c) for paragraph 29(1) substitute—

“(1) The disposal of waste as specified in sub-paragraph (1A) at the place where it is produced, by the person producing it, by burning it in an incinerator.

(1A) The specified disposal is the burning of biomass waste or animal carcasses to the extent that doing so is, or forms part of, an activity falling within paragraphs (a) or (b) of Part B of Section 5.1 of Part 1 of Schedule 1 to the 2012 Regulations.

(1B) A disposal under sub-paragraph (1) must, where the activity is authorised under the 1991 Regulations, be in an exempt incinerator for the purposes of Section 5.1 (incineration) of Schedule 1 to those Regulations.”.

Status: Point in time view as at 07/01/2013.

Changes to legislation: There are currently no known outstanding effects for the The Pollution Prevention and Control (Scotland) Regulations 2012, Paragraph 24. (See end of Document for details)

(8) In Schedule 1, paragraphs 1(1), 2(1), 3(a) and (d), 24(1), 44(3) and (4) and 45(2)(a) (activities exempt from waste management licensing), for “the 2000 Regulations” substitute “ the 2012 Regulations ”.

(9) In Schedule 4 (Waste Framework Directive)—

- (a) in paragraph (1), in paragraph (d) of the definition of “permit” for “the 2000 Regulations” substitute “ the 2012 Regulations ”,
- (b) in paragraph 5(1), in the eighth entry in right hand column (specified functions) of Table 23 for “the 2000 Regulations” substitute “ the 2012 Regulations ”,
- (c) in paragraph 7(3)(a), for “the 2000 Regulations” substitute “ the 2012 Regulations ”, and
- (d) for paragraph 7(4) substitute—

“(4) In sub-paragraph (3), “Part B installation” has the meaning given by regulation 12 (permits: interpretation) of the 2012 Regulations”.

Marginal Citations

M1 [S.S.I. 2011/228](#), as amended by [S.S.I. 2012/148](#).

Status:

Point in time view as at 07/01/2013.

Changes to legislation:

There are currently no known outstanding effects for the The Pollution Prevention and Control (Scotland) Regulations 2012, Paragraph 24.