

**2017 No. 322**

**ENVIRONMENTAL PROTECTION**

**The Pollution Prevention and Control (Designation of Medium Combustion Plant Directive) (Scotland) Order 2017**

*Made* - - - - - *4th October 2017*

*Coming into force* - - - - - *1st November 2017*

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

**Citation, commencement and extent**

**1.**—(1) This Order may be cited as the Pollution Prevention and Control (Designation of Medium Combustion Plant Directive) (Scotland) Order 2017 and comes into force on 1st November 2017.

(2) This Order extends to Scotland only.

**Designation**

**2.** Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutant into the air from medium combustion plants<sup>(b)</sup> is designated for the purposes of paragraph 20 of Schedule 1 to the Pollution Prevention and Control Act 1999.

*ROSEANNA CUNNINGHAM*  
A member of the Scottish Government

St Andrew's House,  
Edinburgh  
4th October 2017

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<sup>(a)</sup> 1999 c.24. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46) as read with section 5(3) of the 1999 Act.  
<sup>(b)</sup> OJ L 313 28.11.2015, p.1.

## EXPLANATORY NOTE

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

This Order designates Directive 2015/215/EU of the European Parliament and of the Council on the limitation of certain pollutants into the air from Medium Combustion Plants (“the Directive”) as a relevant directive for the purposes of paragraph 20 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 by way of regulations under section 2 of the Act. Paragraph 20(1)(b) enables the making of provision which corresponds or is similar to any provision made, or capable of being made, under section 2(2) of the European Communities Act 1972 (c.68) in connection with one of the “relevant Directives”.

The effect of the designation is to enable the powers in the Act to be used to transpose the Medium Combustion Plant Directive.

No business and regulatory impact assessment has been prepared for this Order as no impact upon business, charities or voluntary bodies is foreseen.

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