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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 55**

**The Marine Environment (EU Exit)  
(Scotland) (Amendment) Regulations 2019**

**PART 3**

Amendments to subordinate legislation

**Amendment of the Marine Licensing (Exempted Activities) (Scottish Offshore Region)  
Order 2011**

**3.—**(1) The Marine Licensing (Exempted Activities) (Scottish Offshore Region) Order 2011<sup>(1)</sup> is amended as follows.

(2) In article 3(1), for the definition of “waste” substitute—

““waste” has the same meaning as in section 75(2) of the Environmental Protection Act 1990<sup>(2)</sup> as read with section 75A<sup>(3)</sup> of that Act;”.

(3) For article 5(3) substitute—

“(3) Condition 2 is that the type and quantity of waste involved and the method of disposal or recovery are consistent with the objective that waste management is carried out without endangering human health, without harming the environment and, in particular:

- (a) without risk to water, air, soil, plants or animals;
- (b) without causing nuisance through noise or odour; and
- (c) without adversely affecting the countryside or places of special interest.”.

(4) For article 5(7)(c) substitute—

“(c) “non-hazardous waste” means any waste which is not special waste within the meaning of regulation 2 of the Special Waste Regulations 1996<sup>(4)</sup>.”.

(5) In article 24(2)—

- (a) in paragraph (a), for “(other than Gibraltar) which is not a member State” substitute “other than the United Kingdom”,
- (b) in paragraph (b), for “a member State” substitute “the United Kingdom”.

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(1) S.S.I. 2011/57 amended by S.S.I. 2012/25, 2015/438 and 2017/1013.

(2) 1990 c.43; relevant amending instrument S.S.I. 2011/226.

(3) Section 75A is prospectively inserted by the Waste (Miscellaneous Amendments) (EU Exit) Regulations 2019.

(4) S.I. 1996/972; regulation 2 is substituted by S.S.I. 2019/26 having effect on exit day.