
SCOTTISH STATUTORY INSTRUMENTS

2024 No. 191

The Waste (Materials Facilities) (Scotland) Regulations 2024

Amendment of regulation 2 (interpretation)

4. In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) after the definition for “disposal licence”, insert—

““dry recyclable waste” means separately collected waste, that is—

- (a) glass,
- (b) metals,
- (c) plastics,
- (d) paper,
- (e) card (including cardboard),
- (f) fibre based composite material,

“dry waste stream” means a quantity of dry recyclable waste of the same type (such as glass),”

(ii) after the definition for “exempt activity”, insert—

““fibre-based composite material” means packaging material which is made of paperboard or paper fibres, with a layer of plastic, and which may also have layers of other materials, to form a single unit that cannot be separated by hand,”

(iii) after the definition for “local authority”, insert—

““Materials Facilities Code” means the Code of Practice on Sampling and Reporting at Materials Facilities issued by the Scottish Ministers on 24 June 2024,”

(iv) after the definition of “special waste”, insert—

““supplier” means—

- (a) where dry recyclable waste is collected pursuant to arrangements made under section 45(1)(a) or (b) of the 1990 Act⁽¹⁾ by a waste collection authority within the meaning of section 30(3)(c) of that Act⁽²⁾, the waste collection authority, except in a case falling within sub-paragraph (b),
- (b) where dry recyclable waste has been transferred from another materials facility, the operator of the materials facility from which that waste was transferred,
- (c) in a case not falling within sub-paragraph (a) or (b), the person who collected the dry recyclable waste, or if that person is not known, the person responsible for delivering it to the materials facility,”

(1) Section 45(1) was amended by [S.S.I. 2012/148](#).

(2) Section 30(3)(c) was amended by paragraph 167(3) of schedule 13 of the Local Government etc. (Scotland) [Act 1994 \(c. 39\)](#).

- (b) after paragraph (2), insert—
 - “(2A) In these Regulations—
 - (a) “materials facility” means—
 - (i) a materials recovery facility, being a facility where dry recyclable waste is treated in order to separate that waste into a dry waste stream or streams, or
 - (ii) a facility where dry recyclable waste from more than one supplier is consolidated into bulk quantities—
 - (aa) as a first point of consolidation, or
 - (bb) following the first consolidation of bulk quantities, transferred from other suppliers,
for the purpose of selling or transferring the dry recyclable waste to other facilities or persons to enable that waste to be prepared for re-use or recycling,
 - (b) a reference to a materials facility does not include a bring site as defined by section 45C(7) of the 1990 Act⁽³⁾.”.

(3) Section 45C was inserted by [S.S.I. 2012/148](#).