
STATUTORY INSTRUMENTS

2004 No. 107

The Solvent Emissions (England and Wales) Regulations 2004

Duration of regulations 3 to 6

7.—(1) Subject to paragraph (2), regulations 3 to 6 shall cease to have effect on 1 November 2007 (“the sunset date”).

(2) Where—

- (a) an operator has made or is deemed to have made an application for a permit to operate an installation containing an SED installation under regulation 10 of the 2000 Regulations; and
- (b) the application has not been determined prior to the sunset date,

regulation 6 shall continue to apply until the determination date for that installation.

(3) In paragraph (2) “determination date” means—

- (a) for an SED installation or part of an SED installation, in relation to which a permit is granted, the date on which it is granted, whether in pursuance of the application, or, on an appeal, of a direction to grant it;
- (b) for an SED installation or part of an SED installation, in relation to which a permit is refused and the applicant for the permit appeals against the refusal, the date of the affirmation of the refusal;
- (c) for an SED installation or part of an SED installation, in relation to which a permit is refused and no appeal is made against the refusal, the date immediately following the last day, determined in accordance with paragraph 2 of Schedule 8 to the 2000 Regulations, on which notice of appeal might have been given;
- (d) for an SED installation or part of an SED installation, in relation to which an application is withdrawn in accordance with regulation 7(6) of the 2000 Regulations or deemed to have been withdrawn in accordance with paragraph 4 of Schedule 4 to the 2000 Regulations, the date the application is withdrawn or deemed to have been withdrawn.