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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 204**

**ENVIRONMENTAL PROTECTION**

**The Special Waste Amendment  
(Scotland) Amendment Regulations 2004**

<i>Made</i>	- - - -	<i>26th April 2004</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>29th April 2004</i>
<i>Coming into force</i>	- -	<i>21st May 2004</i>

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Special Waste Amendment (Scotland) Amendment Regulations 2004 and shall come into force on 21st May 2004.

**Amendment of the Special Waste Amendment (Scotland) Regulations 2004**

2. In regulation 2(10) of the Special Waste Amendment (Scotland) Regulations 2004<sup>(2)</sup>, in regulation 15A(5) (Registers: special waste producers) as inserted into the Special Waste Regulations 1996<sup>(3)</sup>, omit “, together with the producer return detailing that consignment”.

St Andrew’s House, Edinburgh  
26th April 2004

*ALAN WILSON*  
Authorised to sign by the Scottish Ministers

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(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) S.S.I. 2004/112. Regulation 2(10) inserts a new regulation 15A into the Special Waste Regulations 1996 (S.I. 1996/972).  
(3) S.I. 1996/972, amended by S.I. 1996/2019 and 1997/257 and S.S.I. 2000/95 and 323 and 2004/112.

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**Status:** This is the original version (as it was originally made). Scottish  
Statutory Instruments are not carried in their revised form on this site.

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## EXPLANATORY NOTE

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

These Regulations amend the Special Waste Amendment (Scotland) Regulations 2004 (S.S.I. [2004/112](#)) (“the amendment Regulations”) which in turn amend the Special Waste Regulations 1996 (S.I. [1996/972](#)) (“the principal Regulations”) which make provision for handling special waste and for implementing Council Directive [75/442/EEC](#) on waste (O.J. No. L 194, 25.7.75, p.8) and Council Directive [91/689/EC](#) on hazardous waste (O.J. No. L 377, 3.12.91, p.20) (“the Hazardous Waste Directive”).

Regulation 2(10) of the amendment Regulations, which was made on 10th March 2004, inserts a new regulation 15A into the principal Regulations, which requires producers of special waste to keep a register which details the documents required to be kept in implementation of Article 4(2) of the Hazardous Waste Directive. Regulation 15A comes into force on 1st July 2004.

These Regulations correct an error in the amendment Regulations which requires a producer of special waste to enter into the register details of a producer return in relation to a consignment of special waste.