
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 275

**The Waste Management Licensing
Amendment (Scotland) Regulations 2004**

Transitional and savings provisions

23. Any exempt activity carried on immediately before 12th January 2005 under paragraphs 8, 10 or 12 of Schedule 3 of the Waste Management Licensing Regulations 1994⁽¹⁾, may continue to be carried on—

- (a) where the establishment or undertaking carrying on the activity applies to SEPA for a waste management licence or a permit under regulation 7 of the Pollution Prevention and Control (Scotland) Regulations 2000⁽²⁾ in relation to the activity in question before 12th February 2005, until the date on which the licence or permit applied for is granted, or if the application is (or is deemed to be) rejected, until the date on which—
 - (i) the period for appealing expires without an appeal having been made; or
 - (ii) any appeal is withdrawn or finally determined;
- (b) where the establishment or undertaking carrying on the activity gives notice to SEPA under regulation 18(4C) of the Waste Management Licensing Regulations 1994 in relation to the activity in question before 12th February 2005, until the date on which—
 - (i) SEPA enters the relevant particulars in the register in relation to that activity or they are deemed to be so entered under the provisions of that regulation; or
 - (ii) SEPA serves a notice of refusal within the meaning of that regulation; or
- (c) in any other case, until 12th February 2005.

⁽¹⁾ S.I.1994/1056; amended by S.I. 1994/1137, 1995/288, 1950, 1996/593, 634, 916, 972, 973, 1279, 1997/351, 2203, 1998/606, 2746, S.S.I. 2000/323, S.S.I. 2003/170 and S.S.I. 2003/171.

⁽²⁾ S.S.I. 2000/323; amended by S.S.I. 2002/493 and 2003/146, 170 and 235.