

EXECUTIVE NOTE

THE SOLVENT EMISSIONS (SCOTLAND) REGULATIONS 2010

SSI 2010/236

The above instrument is made by the Scottish Ministers in exercise of the powers conferred by Section 2 of the Pollution Prevention and Control Act 1999. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to transpose Article 3 of Directive 2008/112/EC amending certain Directives in order to adapt them to Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures (“the Directive”). Regulation (EC) No. 1272/2008 in turn incorporates new terminology from the UN’s Globally Harmonised System of Classification, Labelling and Packaging (CLP). An example of this is the change from “preparation(s)” to “mixture(s)” and references to “hazard statement(s)” rather than “risk phrases”. Article 3 of the Directive amends the Solvent Emissions Directive (1999/13/EC), transposed in Scotland through the Solvent Emissions (Scotland) Regulations 2004 (S.S.I. 2004/26) and the Pollution Prevention and Control (Scotland) Regulations 2000 (S.S.I. 2000/323). The instrument therefore amends these Regulations to effect the changes in terminology envisaged by Article 3 of the Directive.

The amendments, which are largely of a technical nature, will ensure consistency and clarity are achieved in the interpretation of the relevant domestic and European legislation.

Consultation

A consultation on the proposed instrument was issued on 28 April 2010 to a targeted audience of key stakeholders. A single response was received to the consultation: from the Scottish Environment Protection Agency (SEPA). They were of the view that the proposed regulations fully implement the requirements of the Directive.

Financial Effects

The instrument has no financial effect on the Scottish Executive, local government or on business.

Scottish Executive
Rural and Environment Directorate
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