
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 391

The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) (Scotland) Regulations 2018

PART 6

Amendments to legislation concerning waste

The Waste Management Licensing (Scotland) Regulations 2011

16.—(1) The Waste Management Licensing (Scotland) Regulations 2011⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation)⁽²⁾—

- (a) in the definition of “Batteries Directive” at the end insert “, as last amended by [Directive 2013/56/EU](#) of the European Parliament and of the Council”,
- (b) in the definition of “the Directive” from the words “as last amended by” to the end substitute “as last amended by Council Regulation (EU) 2017/997”,
- (c) in the first definition of “recycling” omit “, except in relation to WEEE”,
- (d) omit the second definition of “recycling”,
- (e) omit the definition of “reuse”,
- (f) in the first definition of “treatment” omit “WEEE and”,
- (g) omit the second definition of “treatment”, and
- (h) in the definition of “the WEEE Directive” for the words “[Directive 2002/96/EC](#)” to the end substitute “[Directive 2012/19/EU](#) of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE)⁽³⁾”.

(3) In regulation 11 (conditions of site licences: treatment of WEEE), for “Article 6(1)” to the end substitute “Articles 8(2), (3), (5) and 9(3), and Annexes VII and VIII of the WEEE Directive.”.

(4) In regulation 19(2)(a) (exempt activities: registration requirement)⁽⁴⁾, for “the competent authority for the purposes” to the end substitute “the Scottish Ministers, and”.

(5) In schedule 1 (activities exempt from waste management licensing)—

- (a) in paragraph 7(4)(e)⁽⁵⁾, for “as that regulations is amended from time to time” substitute “as last amended by Council Regulation (EU) 1385/2013.”,
- (b) in paragraph 19(2)(c)⁽⁶⁾, for “as that regulation is amended from time to time” substitute “as last amended by Council Regulation (EU) 1385/2013”.

(1) [S.S.I. 2011/228](#).

(2) Regulation 2(1) was relevantly amended by [S.S.I. 2015/438](#).

(3) OJ L 197, 24.7.2012, p.38.

(4) Regulation 19(2)(a) of schedule 1 was amended by [S.S.I. 2012/148](#).

(5) Paragraph 7(4)(e) of schedule 1 was amended by [S.S.I. 2012/148](#).

(6) Paragraph 19(2)(c) of schedule 1 was amended by [S.S.I. 2012/148](#).

- (c) in paragraph 23—
 - (i) in sub-paragraph (1)(7), for “regulation 8” substitute “regulation 7”, and
 - (ii) in sub-paragraph (3)(8)—
 - (aa) in the definition of “animal by-products” at the end insert “, as last amended by Council Regulation (EU) 1385/2013”, and
 - (bb) in the definition of “collection centre” at the end insert “, as last amended by Commission Regulation 2017/1262.”,
- (d) in paragraph 43(3)(e) for “Annex III” substitute “Annex VIII”, and
- (e) in paragraph 47—
 - (i) in sub-paragraph (1)(d) for “Annex III” substitute “Annex VIII”, and
 - (ii) in sub-paragraph (2)(d) for “Annex III” substitute “Annex VIII”.
- (6) In paragraph 1 of schedule 4 (Waste Framework Directive), in the definition of “best available techniques” for the words from “Article 2(12) of Directive” to the end substitute “regulation 4 of the Pollution Prevention and Control (Scotland) Regulations 2012(9)”.

(7) Paragraph 23(1) of schedule 1 was amended by [S.S.I. 2012/148](#).

(8) Paragraph 23(3) of schedule 1 was substituted by [S.S.I. 2012/148](#).

(9) [S.S.I. 2012/360](#).