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STATUTORY INSTRUMENTS

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**1997 No. 257 (S.18)**

**ENVIRONMENTAL PROTECTION**

**The Special Waste (Scotland) Regulations 1997**

*Made* - - - - *7th February 1997*  
*Laid before Parliament* *7th February 1997*  
*Coming into force* - - *1st May 1997*

The Secretary of State, in exercise of the powers conferred on him by section 74(6) of the Environmental Protection Act 1990<sup>F1</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Annotations:**

**Amendments (Textual)**

F1 1990 c.43.

**Citation, commencement and extent**

1. These Regulations may be cited as the Special Waste (Scotland) Regulations 1997, shall extend to Scotland only and shall come into force on 1st May 1997.

**Certificate of technical competence**

2.—(1) This regulation applies in relation to waste defined as special waste under regulation 2 of the Special Waste Regulations 1996<sup>F2</sup> which was not so defined under regulation 2 of the Control of Pollution (Special Waste) Regulations 1980<sup>F3</sup> ("waste now defined as special waste").

(2) A persons treated as technically competent for the purposes of section 74(3)(b) of the Environmental Protection Act 1990 pursuant to regulation 2(2) of the Waste Management Licensing (Scotland) Regulations 1996<sup>F4</sup> shall also be treated as technically competent for the purposes of operations concerning waste now defined as special waste.

(3) Subject to the condition in paragraph (4) below, a person treated as technically competent for the purposes of section 74(3)(b) of the Environmental Protection Act 1990 pursuant to regulation 2(1) and 2(3) of the Waste Management Licensing (Scotland) Regulations 1996 shall also be treated as technically competent for the purpose of operations concerning waste now defined as special waste.

(4) The condition referred to in paragraph (3) above is that before 1st September 1997 the person applies to the Waste Management Industry Training and Advisory Board for a certificate of technical competence at level 4 in respect of special waste.

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**Status:** This is the original version (as it was originally made).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

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**Annotations:**

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**Amendments (Textual)**

- F2** [S.I. 1996/972](#), amended by [S.I. 1996/2019](#).
- F3** [S.I. 1980/1709](#), amended by [S.I. 1988/1790](#).
- F4** [S.I. 1996/916](#).

St Andrew's House, Edinburgh  
7th February 1997

*Lindsay*  
Parliamentary Under Secretary of State, Scottish  
Office

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## **EXPLANATORY NOTE**

(This note is not part of the Regulations)

Regulation 2 of the Waste Management Licensing (Scotland) Regulations 1996 provides for managers of specified waste facilities operated by local authorities who meet certain criteria to be treated as technically competent for the purposes of section 74(3)(b) of the Environment Protection Act 1990. These Regulations provide for such managers to be treated as technically competent in respect of facilities which deal with waste defined special waste under regulation 2 of the Special Waste Regulations 1996.