
*Changes to legislation: There are currently no known outstanding effects for the
Regulatory Reform (Scotland) Act 2014, Paragraph 22. (See end of Document for details)*

SCHEDULE 2
PARTICULAR PURPOSES FOR WHICH
PROVISION MAY BE MADE UNDER SECTION 18

PART 1

LIST OF PURPOSES

General

- 22 (1) Making provision which, subject to any modifications that the Scottish Ministers consider appropriate, corresponds or is similar to—
- (a) any provision made by or under, or capable of being made under, Part 2 of the Environmental Protection Act 1990, or
 - [^{F1}(b) any provision (not being a provision within any of paragraphs 1 to 21 or paragraph (a)) that might be made by an Act of the Scottish Parliament in connection with the relevant EU instruments, other than provision—
 - (i) imposing or increasing taxation,
 - (ii) taking effect from a date earlier than that of the making of the instrument containing the provision,
 - (iii) conferring any power to legislate by means of order, rules, regulations or other subordinate instrument, other than rules of procedure for any court or tribunal.
- (2) In sub-paragraph (1)(b) “the relevant EU instruments” means—
- (a) Council [Directive 91/271/EEC](#) concerning urban waste water treatment,
 - (b) Council [Directive 91/676/EEC](#) concerning the protection of waters against pollution caused by nitrates from agricultural sources,
 - (c) European Parliament and Council [Directive 94/62/EC](#) on packaging and packaging waste,
 - (d) Council [Directive 96/59/EC](#) on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT),
 - (e) Council [Directive 1999/31/EC](#) on the landfill of waste,
 - (f) [Directive 2000/53/EC](#) of the European Parliament and of the Council on end-of life vehicles,
 - (g) [Directive 2000/60/EC](#) of the European Parliament and of the Council establishing a framework for Community action in the field of water policy,
 - (h) [Directive 2002/49/EC](#) of the European Parliament and of the Council relating to the assessment and management of environmental noise,
 - (i) [Directive 2006/7/EC](#) of the European Parliament and of the Council concerning the management of bathing water quality and repealing [Directive 76/160/EEC](#),
 - (j) [Directive 2006/66/EC](#) of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators and repealing [Directive 91/157/EEC](#),
 - (k) [Directive 2006/118/EC](#) of the European Parliament and of the Council on the protection of groundwater against pollution and deterioration,
 - (l) [Directive 2008/50/EC](#) of the European Parliament and of the Council on ambient air quality and cleaner air for Europe,

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- (m) [Directive 2008/98/EC](#) of the European Parliament and of the Council on waste and repealing certain Directives,
 - (n) [Directive 2008/105/EC](#) of the European Parliament and of the Council on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives [82/176/EEC](#), [83/513/EEC](#), [84/156/EEC](#), [84/491/EEC](#), [86/280/EEC](#) and amending [Directive 2000/60/EC](#) of the European Parliament and of the Council,
 - (o) Commission [Directive 2009/90/EC](#) laying down, pursuant to [Directive 2000/60/EC](#) of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status,
 - (p) [Directive 2009/126/EC](#) of the European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations,
 - (q) [Directive 2010/75/EU](#) of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control),
 - (r) Regulation (EU) No 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products,
 - (s) Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals,
 - (t) [Directive 2012/19/EU](#) of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE),
 - (u) Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom,
 - (v) Directive (EU) 2015/2193 of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants,
 - (w) Regulation (EU) 2017/852 of the European Parliament and of the Council on mercury, and repealing Regulation (EC) No 1102/2008,
 - (x) Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment,
 - (y) Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants.
- (3) In sub-paragraph (1)(b)(iii), the reference to provision conferring any power to legislate does not include provision—
- (a) amending or extending a power to legislate conferred other than under this paragraph,
 - (b) giving directions as to matters of administration.
- (4) Making provision about the application of the regulations to the Crown.]

Textual Amendments

- F1** Sch. 2 para. 22(1)(b)(2)-(4) substituted for sch. 2 para. 22(1)(b)(2) (31.12.2020) by [The Environment \(EU Exit\) \(Scotland\) \(Amendment etc.\) \(No. 2\) Regulations 2019 \(S.S.I. 2019/436\)](#), regs. 1, **2(3)(b)**; 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

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Commencement Information

II Sch. 2 para. 22 in force at 30.6.2014 by [S.S.I. 2014/160](#), art. 2(1)(2), [Sch.](#)

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