
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 170

The Waste Incineration (Scotland) Regulations 2003

Transitional provisions

4. In respect of any installation or mobile plant which by operation of these Regulations becomes a Part A installation or Part A mobile plant within the meaning of the 2000 Regulations, Part 1 of Schedule 3 to the 2000 Regulations shall apply to such an installation or mobile plant subject to the following modifications:—

(a) in paragraph 4, in sub-paragraph (1) for “31st October 1999” there is substituted “28th December 2002”;

(b) in paragraph 6—

(i) for the definition of “existing” there is substituted—

““existing” in relation to a Part A installation or a Part A mobile plant means a waste incineration installation or mobile plant which—

(a) in the case of such an installation or mobile plant which is a co-incineration plant, is one which—

(i) is in operation before 28th December 2002 following the grant of a relevant approval; or

(ii) is put into operation by 28th December 2004 following the grant of a relevant approval before 28th December 2002 or the grant of a relevant approval, where the full application for such an approval was made before 28th December 2002; or

(b) in any other case is one which—

(i) is in operation before 28th December 2002 following the grant of a relevant approval;

(ii) is put into operation by 28th December 2003 following the grant of a relevant approval before 28th December 2002; or

(iii) is put into operation by 28th December 2004 following the grant of a relevant approval, where the full application for such an approval was made before 28th December 2002;”;

(ii) in the definition of “new” for “31st October 1999” there is substituted “28th December 2002”;

(iii) for the definition of “relevant authorisation” there is substituted—

“relevant authorisation” means any of the following:—

(a) a permit;

(b) an authorisation;

(c) a licence;

(d) an activity which is—

- (i) registered under regulation 18 of the Waste Management Licensing Regulations 1994⁽¹⁾ as exempt from the requirement to have a licence; and
- (ii) carried out so as to comply with all the conditions detailed in those Regulations appropriate for that exemption.”; and
- (iv) in the definition of “transitional date” for “the date 6 months after the date on which these Regulations come into force” there is substituted “30th September 2003”.

(1) S.I.1994/1056; relevant amending instruments are S.I. 1995/288, 1996/634 and 972, 1998/606 and S.S.I.2000/323.