
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 112

The Special Waste Amendment (Scotland) Regulations 2004

Amendment of the Pollution Prevention and Control (Scotland) Regulations 2000

3.—(1) The Pollution Prevention and Control (Scotland) Regulations 2000(1) are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation: general) the following definitions are inserted in the appropriate places—

““hazardous waste”, unless the context otherwise requires, means any waste which is special waste to which the Special Waste Regulations 1996 apply(2);

“the Waste Directive” means Council Directive 75/442/EEC on waste(3);

“waste” means, unless the context otherwise requires, anything that—

(i) is waste for the purposes of the Waste Directive(4); and

(ii) is not excluded from the scope of that Directive by Article 2 of that Directive;”.

(3) In Table 1 in paragraph 2(2) of Part I (Part A: installations and mobile plant) of Schedule 3 (prescribed dates and transitional arrangements), for the entry in respect of section 5.3, substitute—

“Section 5.3

Part A

Paragraphs (a) and (b)	June 1st to August 31st 2005
Paragraph (c)(i)	April 1st to June 30th 2006
Paragraph (c)(ii)	September 1st to November 30th 2006”

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- (1) S.S.I. 2000/323, as amended by S.S.I. 2003/146, S.S.I. 2003/170, S.S.I. 2003/221, S.S.I. 2003/235 and S.S.I. 2004/26.
- (2) S.I.1996/972 as amended by S.I. 1996/2019, S.I. 1997/257 (s.18), S.S.I. 2000/95, S.S.I. 2000/323 and S.S.I. 2004/ 112 . S.S.I. 2004/112, at regulation 2 defines special waste with reference to Article 1(4) of the Hazardous Waste Directive (O.J. No. L 377, 31.12.1991, p.20). By virtue of regulations 2A and 2B, domestic asbestos waste is treated as special waste for the purposes of these Regulations.
- (3) O.J. No. L 194, 25.7.1975, p.39, as amended by Council Directives 91/156/EEC (O.J. No. L 78, 26.3.1991, p.32) and 91/692/EEC (O.J. No. L 377, 31.12.1991, p.48) and Commission Decision 96/350/EC (O.J. L 135, 6.6.1996, p.32).
- (4) Article 1(a) of the Waste Directive defines waste as any substance or object in the categories set out in Annex I (Categories of Waste) to that Directive which the holder discards or intends or is required to discard.