SCHEDULE 4

WASTE FRAMEWORK DIRECTIVE

PART 1

GENERAL

Modifications of Part II of the 1990 Act

11.—(1) Part II of the 1990 Act has effect subject to the following modifications.

(2) In section 33(1)(a) and (5), any reference to the deposit of waste in or on land includes a reference to any operation listed in Part II or III of this Schedule involving such a deposit.

(3) In section 33(1)(b), any reference to the treatment or disposal, or to the treatment, keeping or disposal, of controlled waste includes a reference to submitting controlled waste to any of the operations listed in Part II or III of this Schedule other than an operation mentioned in sub-paragraph (2).

(4) In sections 33(1)(c) and 35, any reference to the treatment or disposal, or to the treatment, keeping or disposal**,** or to the management, of controlled waste includes a reference to submitting controlled waste to any of the operations listed in Part II or III of this Schedule.

(5) In section 36(3), the reference to planning permission is taken to be a reference to planning permission resulting from the decision of a planning authority after 30th April 1994.

(6) In section 62(1), any reference to the treatment, keeping or disposal of such waste as is referred to in that subsection includes a reference to submitting such waste to any of the operations listed in Part II or III of this Schedule.

(7) In section 62(2), any reference to the treatment, keeping or disposal of special waste includes a reference to submitting special waste to any of the operations listed in Part II or III of this Schedule.

Changes to legislation:
The Waste Management Licensing (Scotland) Regulations 2011, Paragraph 11 is up to date with all changes known to be in force on or before 29 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:
Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(2A) inserted by S.S.I. 2024/191 reg. 4(b)
- reg. 17A inserted by S.S.I. 2024/191 reg. 6