
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 391

The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) (Scotland) Regulations 2018

PART 6

Amendments to legislation concerning waste

The Special Waste Regulations 1996

10.—(1) The Special Waste Regulations 1996(1) are amended as follows.

(2) In regulation 1(4) (interpretation)(2)—

(a) after the definition of “the 1990 Act” insert—

““the 2011 Regulations” means the Waste Management Licensing (Scotland) Regulations 2011(3),” and

(b) in the definition of “the Waste Directive”, for “as last amended by” to the end substitute “, as last amended by Council Regulation (EU) 2017/997(4).”.

(3) For regulation 6(2)(c) (consignment notes: cases in which pre-notification is not required) substitute—

“(c) in the case mentioned in paragraph (1)(c), the removal is for the purposes of an operation that falls within either entry D15 in the table in Part II of schedule 4, or entry R13 in the table in Part III of schedule 4 and the consignee either—

(i) is the holder of a waste management licence which authorises the relevant operation, or

(ii) carries on any activity to which section 33(1)(a) and (b) of the 1990 Act does not apply by virtue of regulation 16 or 17 of the 2011 regulations.”.

(4) In regulation 13(4) (consignment notes: importers and exporters), for the words “Council Regulation (EEC)” to the end substitute “Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste(5), as last amended by Commission Regulation 2015/2002(6), apply.”.

(5) In regulation 15 (registers)—

(a) in paragraph (6) for “of the 1994 Regulations” substitute “of the 2011 Regulations”, and

(b) in paragraph (6A)(7) for “regulation 16(1)(ba) or (bb) of the 1994 Regulations” substitute “regulation 16(1)(c) or (d) of the 2011 Regulations”.

(1) [S.I. 1996/972](#).

(2) Regulation 1(4) was relevantly amended by [S.S.I. 2015/438](#).

(3) [S.S.I. 2011/228](#); relevant amending instruments are [S.S.I. 2012/360](#) and [S.S.I. 2012/148](#).

(4) OJ L 150, 14.6.2017, p.1.

(5) OJ L 190, 12.7.2006, p.1.

(6) OJ L 294, 11.11.2015, p.1.

(7) Paragraph (6A) was inserted by [S.S.I. 2000/323](#) and amended by [S.S.I. 2012/360](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) In regulation 19A (mutual recognition of consignment notes)(8), for the words “form set out in the Annex” to “European Community” substitute “notification document for transboundary movements/shipments of waste set out in Annex 1A, and the movement document for transboundary movements/shipments of waste set out in Annex 1B, to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste, as last amended by Commission Regulation 2015/2002”.

(8) Regulation 19A was inserted by [S.S.I. 2004/112](#).