
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 332

**ENVIRONMENTAL PROTECTION
WASTE**

**The Environmental Protection Act 1990
Amendment (Scotland) Regulations 2019**

Made - - - - 22nd October 2019

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2 of the Pollution Prevention and Control Act 1999⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 2(4) of that Act, they have consulted the Scottish Environment Protection Agency, such bodies and persons appearing to them to be representative of the interests of local government, industry, agriculture and small businesses respectively as they consider appropriate and such other bodies or persons as they consider appropriate.

In accordance with section 2(8) and (9)(e) of that Act a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

(1) 1999 c.24. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46), as read with section 5(3) of the Pollution Prevention and Control Act 1999 (“the 1999 Act”) and by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2008 (S.I. 2008/1776). Directive 2008/98/EC (OJ L 312, 22.11.2008, p.3) was designated for the purposes of paragraph 20 of schedule 1 of the 1999 Act by S.S.I. 2010/131. Since S.S.I. 2010/131 came into force, there have been amendments to Directive 2008/98/EC which are not relevant to these Regulations. Paragraph 20 of schedule 1 of the 1999 Act is amended with effect from exit day (as defined in section 20 of the European Union (Withdrawal) Act 2018 (c.16)) to include Directive 2008/98/EC (as last amended by Regulation (EU) 2017/997) as one of the relevant directives in connection with which provision may be made.