
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 314

**The Waste (Miscellaneous Amendments)
(Scotland) Regulations 2020**

PART 3

Amendments to secondary legislation

The Waste Management Licensing (Scotland) Regulations 2011

7.—(1) The Waste Management Licensing (Scotland) Regulations 2011⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “agricultural waste”, insert—

““back-filling” means any recovery operation where suitable non-hazardous waste is used for purposes of reclamation in excavated areas or for engineering purposes in landscaping. Waste used for backfilling must substitute non-waste materials, be suitable for the aforementioned purposes, and be limited to the amount strictly necessary to achieve those purposes,”

(b) in the definition of “Batteries Directive”, for “[Directive 2013/56/EU](#)” substitute “[Directive \(EU\) 2018/849\(2\)](#)”,

(c) in the definition of “the Directive”, for “[Council Regulation \(EU\) 2017/997](#)” substitute “[Directive \(EU\) 2018/851 of the European Parliament and of the Council\(3\)](#)”.

(3) In regulation 15 (waste oils)—

(a) omit paragraphs (1), (2) and (4),

(b) in paragraph (3)—

(i) at the beginning, for “A” substitute “Unless paragraph (3A) applies, a”,

(ii) omit “so far as technically feasible and economically viable”,

(c) after paragraph (3) insert—

“(3A) This paragraph applies where—

(a) compliance with paragraph (3) is not technically feasible, or

(b) mixing would not impede regeneration or another recycling operation delivering an equivalent or a better overall outcome than regeneration.”.

(4) In schedule 4 (Waste Framework Directive)—

(a) in paragraph 1 (interpretation of Schedule 4)—

⁽¹⁾ [S.S.I. 2011/228](#); relevant amending instruments are [S.S.I. 2015/438](#) and [S.S.I. 2018/391](#).

⁽²⁾ [OJ L 150, 14.6.2018, p.93](#).

⁽³⁾ [OJ L 150, 14.6.2018, p.109](#).

- (i) in the definition of “waste management”, after “recovery” insert “(including sorting)”,
- (ii) in the definition of “waste prevention”, in head (c), for “harmful” substitute “hazardous”,
- (b) in paragraph 6(1)(b) (relevant objectives), for “recovery and where technically, environmentally and economically practicable” substitute “preparing for re-use, recycling or other recovery operations”.