

SCHEDULE

Article 2

ENACTMENTS CONFERRING FUNCTIONS EXERCISABLE CONCURRENTLY
BY THE SCOTTISH MINISTERS AND A MINISTER OF THE CROWN

| <i>Column 1</i> <i>Enactment</i> | <i>Column 2</i> <i>Restrictions or requirement</i> |
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| The Environment Act 1995 (c. 25), sections 31(guidance on sustainable development)(1), 40 (Ministerial directions)(2), 41(10) (charging schemes)(3) and 42 (approval of charging schemes)(4). | Only so far as the functions are exercisable in relation to the implementation of any Community obligation concerning energy efficiency. |
| The Pollution Prevention and Control Act 1999 (c. 24), section 2 (regulation of polluting activities) and paragraph 20(2)(c) of Schedule 1 (designation of directives). | Only so far as the functions are exercisable in relation to the implementation of any Community obligation concerning energy efficiency. |

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- (1) Section 31 was amended by S.I.1999/1820, article 4 and Schedule 2, paragraph 120(2).
 - (2) There are amendments to section 40 in S.I. 1999/1746, article 5(2) which are not relevant to this Order. See section 37(1) for the meaning of “a new Agency”. In Scotland, the new Agency is the Scottish Environment Protection Agency. See section 56 for the definition of “the appropriate Minister”. In the case of the Scottish Environment Protection Agency, the appropriate Minister is the Secretary of State.
 - (3) Section 41 was amended by S.I. 2007/1711, regulation 46(1); by S.I. 2007/3106, regulation 9; and by S.S.I. 2003/235, regulation 21 and Schedule 6, paragraph 1.
 - (4) Section 42 was amended by the Food Standards Act 1999 (c. 28), section 40 and Schedule 5, paragraph 44; and by S.I. 1999/1820, article 4 and Schedule 2, paragraph 120(3).