SCOTTISH STATUTORY INSTRUMENTS

2003 No. 206 (C. 41)

ENVIRONMENTAL PROTECTION

The Environment Act 1995 (Commencement No. 21) (Scotland) Order 2003

Made - - - - 20th March 2003

The Scottish Ministers, in exercise of the powers conferred by section 125(3) of the Environment Act 1995(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and extent

1. This Order may be cited as the Environment Act 1995 (Commencement No. 21) (Scotland) Order 2003.

(2) This Order extends to Scotland only.

Provisions coming into force on 1st April 2003

2. Section 120(1) of the Environment Act 1995 shall come into force on 1st April 2003 in so far as it relates to the following provisions of Schedule 22:–

(a) paragraphs 29(21) and (22) (in so far as those provisions are not already in force); and

(b) paragraph 88 for the purposes only of the Landfill (Scotland) Regulations 2003(**2**).

St Andrew's House, Edinburgh
20th March 2003

ROSS FINNIE
A member of the Scottish Executive

(**1**) 1995 c. 25. 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).
(**2**) S.S.I. 2003/207.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st April 2003 section 120(1) of the Environment Act 1995, insofar as it relates to paragraphs 29(21) and (22) of Schedule 22 (insofar as those provisions are not already in force) and paragraph 88 of that Schedule for the purposes only of the Landfill (Scotland) Regulations 2003 ("the 2003 Regulations"). Paragraphs 29(21) and (22) make amendments to the Control of Pollution Act 1974 (c. 40) concerning operations to remedy or forestall pollution of water and notices requiring persons to carry out anti-pollution operations. Paragraph 88 amends section 75 of the Environmental Protection Act 1990 ("the 1990 Act") (meaning of "waste" and household, commercial and industrial waste and special waste). Subsection (2) is replaced, subsection (3) is deleted and new subsections (10) to (12) are inserted. The amended definition of "waste" in the 1990 Act is incorporated in the definition of "waste" in regulation 2 of the 2003 Regulations.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	*Date of commencement*	*S.I. No.*
Section 1	28.7.1995	1995/1983
Section 2	1.4.1996	1996/186
Section 3(1)	1.4.1996	1996/186
Section 3(2) to (8)	28.7.1995	1995/1983
Section 4	28.7.1995	1995/1983
Section 5	1.2.1996	1996/186
	and 1.4.1996	
Section 6	1.4.1996	1996/186
Section 7	28.7.1995	1995/1983
Section 8	1.4.1996	1996/186
Section 9	28.7.1995	1995/1983
Sections 10 and 11	1.4.1996	1996/186
Section 12	28.7.1995	1995/1983
Sections 13 to 19	1.4.1996	1996/186
Sections 20 to 23	12.10.1995	1995/2649
Sections 25 to 29	1.4.1996	1996/186
Sections 30 to 32	12.10.1995	1995/2649
Section 33 to 35	1.4.1996	1996/186
Section 36	12.10.1995	1995/2649