SCOTTISH STATUTORY INSTRUMENTS

2001 No. 99

ENVIRONMENTAL PROTECTION

The Environmental Protection Act 1990 (Amendment) (Scotland) Regulations 2001

Made - - - -	*13th March 2001*
Laid before the Scottish Parliament - - - -	*14th March 2001*
Coming into force - -	*5th April 2001*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Environmental Protection Act 1990 (Amendment) (Scotland) Regulations 2001 and shall come into force on 5th April 2001.

(2) These Regulations extend to Scotland only.

Amendment of section 113 of the Environmental Protection Act 1990

2. After subsection (4) of section 113 (fees and charges) of the Environmental Protection Act 1990(**2**) there is inserted–

> "(5) The Scottish Ministers may, with the consent of the Secretary of State, provide in a scheme under this section for any functions under the scheme to be performed by a Minister of the Crown or government department where they consider it expedient to do so in relation to the implementation of Council Directive 90/220/EEC(**3**).".

(**1**) 1972 c. 68; section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8 paragraph 15(3). The function conferred upon a Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(**2**) 1990 c. 43.

(**3**) O.J. No. L 117, 8.5.90, p.15