

## Statutory Instrument 2002 No. 1702

### **The Pollution Prevention and Control (England and Wales) (Amendment) (No. 2) Regulations 2002**

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#### STATUTORY INSTRUMENTS

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### **2002 No. 1702**

### **ENVIRONMENTAL PROTECTION, ENGLAND AND WALES**

#### **The Pollution Prevention and Control (England and Wales) (Amendment) (No. 2) Regulations 2002**

<i>Made</i>	<i>3rd July 2002</i>
<i>Laid before Parliament</i>	<i>3rd July 2002</i>
<i>Coming into force</i>	<i>25th July 2002</i>

The Secretary of State, in exercise of the powers conferred on her by section 2 of the Pollution Prevention and Control Act 1999[[1](#)], having, in accordance with subsection (4) of that section, consulted the Environment Agency, such bodies or persons appearing to her to be representative of the interests of local government, industry, agriculture and small businesses respectively as she considers appropriate and such other bodies and persons as she considers appropriate, hereby makes the following Regulations:

#### **Citation, commencement and extent**

**1.** - (1) These Regulations may be cited as the Pollution Prevention and Control (England and Wales) (Amendment) (No. 2) Regulations 2002 and shall come into force on 25th July 2002.

(2) These Regulations extend to England and Wales only.

(3) For the purposes of paragraph (2), "England and Wales" includes the territorial waters adjacent to England and Wales.

**Amendment of the Pollution Prevention and Control (England and Wales) Regulations 2000**

2. - (1) The Pollution Prevention and Control (England and Wales) Regulations 2000<sup>[2]</sup> are amended as follows.

(2) In the Table in paragraph 2(2) of Part 1 of Schedule 3, the words -

Section 6.4	
Part A(1)	1st May to 31st July 2002
Part A(2)	1st May to 31st July 2003

are replaced by the words -

Section 6.4	
Part A(1)	
Paragraph (a)	1st January to 31st March 2007
Remaining paragraphs	1st May to 31st July 2002
Part A(2)	1st May to 31st July 2003

(3) The amendments made by paragraph (2) shall not apply in relation to an existing Part A installation or existing Part A mobile plant in respect of which an application for a permit to operate the installation or mobile plant is duly made between 30th April 2002 and 25th July 2002.

Signed by authority of the Secretary of State for Environment, Food and Rural Affairs

*Michael Meacher*

Minister of State, Department for Environment, Food and Rural Affairs

3rd July 2002

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Pollution Prevention and Control (England and Wales) Regulations 2000.

Those Regulations provide for operators of installations carrying out the activities listed in paragraph (a) of Part A(1) of Section 6.4 of Schedule 1 to those Regulations (applying or removing coatings containing tributyltin or triphenyltin compounds in certain boatyards) to apply between 1st May and 31st July 2002 to the Environment Agency for permits to continue operations after 31st July 2002.

Regulation 2 defers until 1st January to 31st March 2007 the period within which operators of installations carrying out those activities may apply for permits to continue operations. It defers to 31st March 2007 the date after which operations must otherwise cease.

Regulation 3 provides that these Regulations shall have no effect in respect of installations for which applications for permits were submitted between 1st May 2002 and 25th July 2002 (inclusive).

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*Notes:*

[1] 1999 c. 24; the Secretary of State can exercise these powers only in relation to England and Wales: see section 53 of the Scotland Act 1998 (c. 46) and section 5(3) of the Pollution Prevention and Control Act 1999.[back](#)

[2] S.I. 2000/1973.[back](#)

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