

Statutory Instrument 2003 No. 948

The Pollution Prevention and Control (Designation of Council Directive on Solvent Emissions) Order 2003

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STATUTORY INSTRUMENTS

2003 No. 948

ENVIRONMENTAL PROTECTION, ENGLAND AND WALES

The Pollution Prevention and Control (Designation of Council Directive on Solvent Emissions) Order 2003

Made

28th March 2003

Coming into force

18th April 2003

The Secretary of State for Environment, Food and Rural Affairs, in exercise of

the powers conferred on her by paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999[1], hereby makes the following Order:

Citation, commencement and extent

1. - (1) This Order may be cited as the Pollution Prevention and Control (Designation of Council Directive on Solvent Emissions) Order 2003 and shall come into force on 18th April 2003.

(2) This Order extends to England and Wales only.

Designation

2. Council Directive 1999/13/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations[2] is designated as a relevant directive for the purposes of paragraph 20 of Schedule 1 to the Pollution Prevention and Control Act 1999.

Alun Michael

Minister of State Department for Environment, Food and Rural Affairs

28th March 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates Council Directive 1999/13/EC on the limitation of volatile organic compounds due to the use of organic solvents in certain activities and installations ("the Solvent Emissions Directive") as a relevant directive for the purposes of paragraph 20 of Schedule 1 to the Pollution Prevention and Control Act 1999 ("the Act").

Schedule 1 to the Act specifies particular purposes for which provision regulating polluting activities may be made under section 2 of the Act. Paragraph 20(1)(b) allows for making provision which corresponds to or is similar to any provision made, or capable of being made, under section 2(2) of the European Communities Act 1972 in connection with one of the relevant directives. The relevant directives are Council Directive 96/61/EC concerning integrated pollution prevention and control, Council Directive 75/442/EEC on waste, as amended, and any other directive of the Council of the European Communities designated by the Secretary of State for the purposes of that paragraph by order made by statutory instrument.

The following Orders under these powers have been made:

(a) An Order was made on 5th November 2001 designating Council Directive 99/31/EC on the landfill of waste (S.I. 2001 No. 3585). That Order entered into force on 12th November 2001;

(b) An Order was made on 7th October 2002 (S.I. 2002 No. 2528) designating the Directives listed below:

(i) Council Directive 2000/76/EC on the incineration of waste;

(ii) Council Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants; and

(iii) Council Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants.

That Order entered into force on 9th October 2002.

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] OJ No. L85, 29.3.1999, p.1.back

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