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SCOTTISH STATUTORY INSTRUMENTS

2025 No. 78

ENVIRONMENTAL PROTECTION

The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Amendment (No. 2) Regulations 2025

Made - - - - at 1:00 p.m. on 18th March 2025

Laid before the Scottish Parliament at 4:30 p.m. on 18th March 2025

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 18(1) and schedule 2 of the Regulatory Reform (Scotland) Act 2014(**a**) and all other powers enabling them to do so.

In accordance with section 19(1) of that Act they have consulted with (a) the Scottish Environment Protection Agency and (b) such other persons as they thought fit, including such persons appearing to them to be representative of the interests of local government, industry, agriculture, fisheries or small businesses as they considered appropriate.

Citation and commencement

1.—(1) These Regulations may be cited as the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Amendment (No. 2) Regulations 2025.

(2) Subject to paragraph (3), these Regulations come into force on 30 March 2025.

(3) Regulation 2 comes into force on 4 April 2025.

Amendment of the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Regulations 2000

2.—(1) The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Regulations 2000(**b**) are amended as follows.

(2) In regulation 2(1) (interpretation and notices), in the definition of "PCBs", after "5(3)" insert "and (4),".

(**a**) 2014 asp 3. Section 16 makes provision relevant to the exercise of these powers; section 16 and schedule 2 were amended by S.S.I. 2019/436.

(**b**) S.S.I. 2000/95; relevant amending instrument is S.S.I. 2020/434.

(3) In regulation 4 (prohibition on holding irrespective of registration)—

(a) in paragraph (3A)—

(i) for "the fluids contain", substitute "it contains",

(ii) in sub-paragraph (a), after "PCBs", insert "within the fluids containing PCBs",

(iii) in sub-paragraph (b), before "PCBs", insert "fluids containing",

(b) in paragraph (3C)—

(i) for "the fluids contain", substitute "it contains",

(ii) in sub-paragraph (a), after "PCBs", insert "within the fluids containing PCBs",

(iii) in sub-paragraph (b), before "PCBs", insert "fluids containing",

(c) in paragraph (4)(a), for "a total volume of", substitute "to reduce the total volume of fluids containing PCBs to".

(4) In regulation 5 (labelling of contaminated equipment)—

(a) in paragraph (3)—

(i) omit "the fluids contain",

(ii) in sub-paragraph (a), before "between", insert "within the equipment the fluids contain",

(iii) in sub-paragraph (b)—

(aa) before "between", insert "the equipment contains",

(bb) before "PCBs", insert "fluids containing",

(b) in paragraph (4)—

(i) omit "the fluids contain",

(ii) in sub-paragraph (a), before "0.005%", insert "within the equipment the fluids contain",

(iii) in sub-paragraph (b)—

(aa) before "a total volume", insert "the equipment contains",

(bb) before "PCBs", insert "fluids containing".

Revocation of the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Amendment Regulations 2025

3. The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Amendment Regulations 2025(**a**) are revoked.

GILLIAN MARTIN
A member of the Scottish Government

St Andrew's House,
Edinburgh
At 1.00 p.m. on 18th March 2025

(**a**) S.S.I. 2025/42.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Regulations 2000 ("the 2000 Regulations") to correct errors in certain amendments made to the 2000 Regulations by the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Amendment Regulations 2020.

Regulation 2(2) amends the definition of "PCBs" in regulation 2(1) of the 2000 Regulations so that the reference to mixtures of PCBs does not apply in relation to regulation 5(4) of the 2000 Regulations.

Regulation 2(3) amends the references to PCBs in regulation 4 of the 2000 Regulations so that references in that regulation are to volumes of fluids containing PCBs and not to the volume of PCBs.

Regulation 2(4) makes similar amendments to regulation 5 of the 2000 Regulations.

These Regulations also revoke the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Regulations 2025.

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