

2013 No. 74

ENVIRONMENTAL PROTECTION

**The Financial Assistance for Environmental Purposes (Scotland)
Order 2013**

Made - - - - - *25th February 2013*

Laid before the Scottish Parliament *28th February 2013*

Coming into force - - - *1st April 2013*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 153(4) of the Environmental Protection Act 1990(a) and all other powers enabling them to do so.

Citation, commencement and extent

1.—(1) This Order may be cited as the Financial Assistance for Environmental Purposes (Scotland) Order 2013 and comes into force on 1st April 2013.

(2) This Order extends to Scotland only.

Variation of section 153(1) of the Environmental Protection Act 1990

2. In subsection (1) of section 153 of the Environmental Protection Act 1990(b)—

(a) omit paragraph (ff)(c);

(b) for paragraph (mm)(d), substitute—

“(mm)Zero Waste Scotland;”;

(c) in paragraph (nn)(e), after “scheme” insert “or programme”; and

(a) 1990 c.43. The functions of the Secretary of State, in or as regards Scotland, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) Subsection (1) was amended by S.I. 1991/146, 682 and 1179, 1992/654, 1993/1062 and 1518, 1995/150, 554,1085 and 3099, 1996/505 and 1431, 1997/651, 1998/538, 1001 and 3234, 2000/207 and 2211, 2002/1686 and 2021, 2003/714 and 2119, 2005/1805, 2006/1735, 2007/1671, 2008/3243 and 2009/1506, and by S.S.I. 2000/430, 2002/83, 2003/173, 2005/324 and 2009/75.

(c) Paragraph (ff) was inserted by S.I. 1997/651.

(d) Paragraph (mm) was inserted by S.S.I. 2000/430.

(e) Paragraph (nn) was inserted by S.S.I. 2002/83.

(d) for paragraph (rr)(a), substitute—

“(rr) any scheme or programme for the purpose of preventing or reducing waste, or of promoting resource efficiency, including (without prejudice to those generalities) the Zero Waste programme;”.

St Andrew’s House,
Edinburgh
25th February 2013

PAUL WHEELHOUSE
Authorised to sign by the Scottish Ministers

(a) Paragraph (rr) was inserted by S.S.I. 2003/173.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies section 153(1) of the Environmental Protection Act 1990 (c.43) (“the 1990 Act”) so as to—

- (a) add descriptions relating to the Zero Waste programme and waste prevention and resource efficiency schemes and programmes, and
- (b) delete redundant descriptions of the Strategic Waste Fund, the Tidy Britain Group, and the Waste Minimisation and Recycling Programme.

Section 153 of the 1990 Act enables the Scottish Ministers to give financial assistance to or for the purposes of an organisation, scheme, programme, or international programme described in that section whose purposes relate to the protection, improvement or better understanding of the environment.

The requirement to obtain Treasury consent for the giving of financial assistance under section 153 of the 1990 Act was removed by section 55 of the Scotland Act 1998 (c.46).

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