

### SCHEDULE 3

#### DATE FROM WHICH AUTHORISATION IS REQUIRED UNDER SECTION 6 OF THE ACT

#### PART IV

**22.** This Part of this Schedule applies in the case of a Part B process carried on in Scotland.

**23.** The prescribed date in the case of a Part B process is, except in the case of an existing process, the date specified in paragraph 25 below as the date from which application may be made for authorisation to carry on an existing process of the same description.

**24.—(1)** In the case of an existing process the prescribed date is, subject to paragraph 26,—

- (i) in a case falling within paragraph (2), the date at which the change mentioned in that paragraph is made;
- (ii) where sub-paragraph (i) does not apply, the day after that on which the period for applying for authorisation in accordance with the Table in paragraph 25 expires.

(2) A case falls within this paragraph if the person carrying on the process makes a substantial change in the process in the period specified in paragraph 25 in relation to the description of processes which comprise that process (when changed) and that change—

- (i) has not occasioned construction work which is in progress at the beginning of that period; or
- (ii) is not the subject of a contract for construction work entered into before the beginning of that period.

**25.** Application for authorisation for an existing process shall be made in the relevant period specified in the following Table—

TABLE

Any process falling within a description set out in—	Application to be made	
	Not earlier than	Not later than
Paragraph (a), (b), (d) or (e) of Section 1.3, Section 3.2, 3.5, 3.6, 5.1 or 6.7 or paragraph (b) of Section 6.9	1st April 1992	31st July 1992
Paragraph (c) of Section 1.3	1st April 1992	30th September 1992
Section 2.1, 2.2, 3.1 or 3.4	1st August 1992	30th November 1992
Section 6.2, 6.5, 6.6 or 6.8 or paragraph (a) of Section 6.9	1st December 1992	31st March 1993

**26.** Where application is duly made in accordance with section 6 of the Act for authorisation for the carrying on of an existing Part B process, the prescribed date as respects the carrying on by the applicant (or another person in his place) of the process to which the application relates is the date on which the application is first granted or refused.

**27.** References in this Part to an existing process are to a process—

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) which was being carried on at some time in the 12 months immediately preceding the earlier date mentioned in paragraph 25 in relation to the description of processes within which the process falls; or
- (ii) which is to be carried on at a works, plant or factory or by means of mobile plant which was under construction or in course of manufacture or in the course of commission at that earlier date, or the construction or supply of which was the subject of a contract entered into before that date.