Regulatory Reform (Scotland) Act 2014

2014 asp 3

PART 3

ENVIRONMENTAL REGULATION

CHAPTER 4

MISCELLANEOUS

Authorisations relating to waste management: offences by partnerships

48 Waste management licences: offences by partnerships

In section 74(7) of the Environmental Protection Act 1990 (meaning of "fit and proper person")—

(a) after paragraph (a), insert—

"(aa) a partnership has been convicted of a relevant offence committed when the holder or, as the case may be, proposed holder of the licence was a member of that partnership;",

(b) the word "or" immediately following paragraph (b) is repealed,

(c) after paragraph (b), insert—

"(ba) where the holder or, as the case may be, proposed holder of the licence is a partnership, a person who is a member of that partnership—

(i) has been convicted of a relevant offence;

(ii) was a member of another partnership at a time when a relevant offence of which that other partnership has been convicted was committed; or

(iii) was a director, manager, secretary, or other similar officer of a body corporate at a time when a relevant offence of which that body corporate has been convicted was committed; or",

(d) in paragraph (c)—

(i) the word "or" immediately following sub-paragraph (i) is repealed,

Changes to legislation: *Regulatory Reform (Scotland) Act 2014, Section 48 is up to date with all changes known to be in force on or before 06 October 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(ii) after sub-paragraph (i), insert—

"(ia) was a member of a partnership at a time when a relevant offence of which that partnership has been convicted was committed; or",

(iii) in sub-paragraph (ii), for the word "for" substitute " of ".

Commencement Information

I1 S. 48 in force at 30.6.2014 by S.S.I. 2014/160, art. 2(1)(2), **Sch.**

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View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– sch. 2 para. 14A inserted by 2024 asp 13 s. 22(2)