
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Waste Management Licensing (Scotland) Regulations 2011

Exempt activities: registration requirement

19.—(1) It is an offence for an establishment or undertaking to carry on an exempt activity involving the recovery or disposal of waste without being registered with the appropriate registration authority.

(2) The appropriate registration authority is—

- (a) in the case of an exempt activity falling within paragraph 23 of Schedule 1, the authority responsible for granting an authorisation under regulation 27 of the Animal By-Products (Scotland) Regulations 2003⁽¹⁾ under which the exempt activity is carried on; and
- (b) in any other case, the waste regulation authority.

(3) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) Subject to regulation 31 and notwithstanding the revocation of the 1994 Regulations by regulation 34(1), an exemption which is registered under regulation 18 of the 1994 Regulations as at 27th March 2011 shall continue in effect as if it was registered under these Regulations, but shall fall due for renewal where applicable on the date on which it would have so fallen due under the relevant provisions of the 1994 Regulations.

⁽¹⁾ S.S.I. 2003/411, as relevantly amended by S.S.I. 2009/7 regulation 2(2).