
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

The Pollution Prevention and
Control (Scotland) Regulations 2012

PART X

PROVISION AS TO OFFENCES

Courts: admissibility of evidence

69.—(1) A statement by an operator made to SEPA for the purposes of complying with regulation 52 may only be used in a prosecution for an offence under regulation 67(1)(f) where in giving evidence the operator makes a statement inconsistent with it.

(2) Where—

- (a) by virtue of a condition of a permit, an entry is required to be made in any record as to the observance of any condition of the permit, and
- (b) the entry has not been made,

that fact is admissible as evidence that that condition has not been observed.