

SCHEDULE 4

GRANT OF PERMITS

PART 3

NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

31. Paragraphs 8 or 22 do not apply in so far as they would require the advertisement of any information mentioned in paragraphs 9 or 22 which is not included in the register by virtue of regulations 65 or 66.

32. Paragraph 13, other than paragraph 13(f), does not apply in so far as it would require a person mentioned in that paragraph to be given information which is not included in the register by virtue of regulation 65.

33. Subject to paragraph 34, paragraph 13(b) and (c)(i) and (iii) do not apply in so far as they would require a person mentioned in that paragraph to be given information which is not included in the register by virtue of regulation 66.

34. Paragraph 33 does not apply to information excluded from the register by virtue of regulation 66 in so far as—

- (a) in the case of an authority mentioned in paragraph 13(b), the information is about the release of any substance which may affect a site of special scientific interest or a European site,
- (b) in the case of Scottish Water, the information is about the release of any substance into a sewer vested in Scottish Water,
- (c) in the case of an authority mentioned in paragraph 13(c)(iii), the information is about the release of any substance into a harbour managed by that authority.

35. Where a matter falls to be determined for the purposes of regulations 65 or 66—

- (a) the period within which an advertisement is to be published under paragraph 8 is a 28 day period beginning 14 days after the day on which the matters are so determined,
- (b) the period for notification under paragraph 13 is a 14 day period beginning 14 days after the day on which the matters are so determined,
- (c) the period within which an advertisement is to be published under paragraph 22 is a 3 day period beginning 14 days after the day on which the matters are so determined.

36. For the purposes of paragraph 35, and paragraphs 18, 20 and 21 of Schedule 7, the matters to be determined under regulation 66 are so determined—

- (a) where SEPA determines under that regulation that information is commercially confidential, on the date of the determination by SEPA, or
- (b) where SEPA determines under that regulation that the information is not commercially confidential—
 - (i) on the date on which any period for bringing an appeal expires without an appeal being brought, or
 - (ii) if an appeal is brought, on the date of the final determination or withdrawal of the appeal (as the case may be).