

SCHEDULE 4

GRANT OF PERMITS

PART 3

NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

20. The requirements of paragraph 5 of this Schedule shall not apply in so far as they would require the advertisement of information mentioned in paragraph 6 which is not to be included in the register by virtue of regulation 28 or 29.

21. Subject to paragraph 22, the requirements of paragraph 9 of this Schedule shall 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 28 or 29.

22. Paragraph 21 does not apply in so far as—

- (a) in the case of an authority mentioned in paragraph 9(b)(ii), the information is about the release of any substance into a sewer vested in that authority;
- (b) in the case of Scottish National Heritage, the information is about the release of any substance which may affect a site of special scientific interest or a European site (within the meaning of regulation 10(1) of the Conservation (Natural Habitats, Etc.) Regulations 1994);
- (c) in the case of an authority mentioned in paragraph 9(b)(iv), the information is about the release of any substance into a harbour managed by that authority.

23. Where a matter falls to be determined for the purposes of regulation 28 or under regulation 29—

- (a) the period within which an advertisement is to be published under paragraph 5 shall be 28 days beginning 14 days after the day on which the matters to be determined for the purposes of regulation 28 or under regulation 29, as the case may be, are finally disposed of;
- (b) the period for notification under paragraph 9 of this Schedule shall be the period of 14 days beginning 14 days after the day on which the matters to be determined for the purposes of regulation 28 or under regulation 29, as the case may be, are finally disposed of.

24. For the purposes of paragraph 23 and paragraph 13 of Schedule 7, the matters to be determined under regulation 29 are finally disposed of—

- (a) in a case where SEPA determines under regulation 29(2) or (4) that the information in question is commercially confidential, on the date of SEPA's determination;
- (b) in a case where SEPA determines under regulation 29(2) or (4) that the information in question is not commercially confidential, on the date on which any period for bringing an appeal expires without an appeal being brought or, if such an appeal is brought, on the date of the final determination of the appeal or, as the case may be, the date on which the appeal is withdrawn.