
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 383

The Environmental Regulation (Enforcement Measures) (Scotland) Order 2015

PART 1

Introduction

Citation and commencement

1. This Order may be cited as the Environmental Regulation (Enforcement Measures) (Scotland) Order 2015 and comes into force on the day after the day on which it is made.

Interpretation

2.—(1) In this Order—

“the Act” means the Regulatory Reform (Scotland) Act 2014;

“certificate of non-compliance” has the meaning given in paragraph 4(2) of Schedule 3;

“costs recovery notice” has the meaning given in paragraph 9(1) of Schedule 2;

“enforcement measure” has the meaning given in article 9(5);

“enforcement undertaking” has the meaning given in paragraph 1(3) of Schedule 3;

“fixed monetary penalty” has the meaning given in paragraph 1(3) of Schedule 1;

“late payment interest” has the meaning given in paragraph 18(1) of Schedule 2; and

“late payment penalty” has the meaning given in paragraph 10 of Schedule 1;

“non-compliance penalty” has the meaning given in paragraph 14(2) of Schedule 2;

“notice of intent”—

(a) in relation to a fixed monetary penalty, has the meaning given in paragraph 4(1) of Schedule 1; and

(b) in relation to a variable monetary penalty, has the meaning given in paragraph 3(1) of Schedule 2;

“relevant offence”—

(a) in relation to a fixed monetary penalty, has the meaning given in paragraph 2 of Schedule 1;

(b) in relation to a variable monetary penalty, has the meaning given in paragraph 2 of Schedule 2; and

(c) in relation to an enforcement undertaking, has the meaning given in paragraph 2 of Schedule 3;

“variable monetary penalty” has the meaning given in paragraph 1(3) of Schedule 2;

“VMP undertaking” has the meaning given in paragraph 12(2) of Schedule 2.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) Where anything under this Order is to be done “in writing” that includes an electronic communication, as defined in section 15(1) of the Electronic Communications Act 2000⁽¹⁾, which is capable of being reproduced (and “written” is to be construed accordingly).

(1) 2000 c.7. Section 15 was amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c.21).