Climate Change (Scotland) Act 2009

2009 asp 12

PART 5

OTHER CLIMATE CHANGE PROVISIONS

CHAPTER 5

WASTE REDUCTION AND RECYCLING

General provision

89 Enforcement authorities

(1) This section applies to any regulations made under this Chapter other than under section 79.

(2) The enforcement authority provided for in the regulations is to be—
  (a) SEPA;
  (b) a local authority; or
  (c) such other person or body as the Scottish Ministers consider appropriate.

(3) The regulations may provide for the functions of the enforcement authority in relation to the regulations to be exercised by two or more such authorities and about the functions of each such authority.

(4) The regulations may also provide for enforcement authorities to levy charges to recover the reasonable costs incurred by them in exercising their functions under the regulations.

Commencement Information

I1 S. 89 in force at 31.10.2009 by S.S.I. 2009/341, **art. 2(2)(a)**

90 Penalties

(1) A person who commits an offence under regulations made under this Part is liable to such penalties, not exceeding those mentioned in subsection (2), as are provided for in the regulations.

(2) Those penalties are—

(a) on summary conviction, a fine not exceeding the statutory maximum;

(b) on conviction on indictment, a fine.

Commencement Information

I2 S. 90 in force at 31.10.2009 by S.S.I. 2009/341, **art. 2(2)(a)**

Status:
Point in time view as at 31/10/2009.

Changes to legislation:
There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: General provision.