



# Climate Change (Scotland) Act 2009

## 2009 asp 12

### PART 5

#### OTHER CLIMATE CHANGE PROVISIONS

### CHAPTER 5

#### WASTE REDUCTION AND RECYCLING

##### *Waste data*

#### **79 Information on waste**

- (1) The Scottish Ministers may, by regulations, require persons of the kinds specified to provide SEPA with information on the waste produced by or otherwise associated with such persons' activities.
- (2) The regulations may in particular include provision about—
  - (a) the circumstances in which information must be provided;
  - (b) the information required to be provided, including the periods to which the information relates;
  - (c) the form and manner in which information must be provided;
  - (d) the periods within which information must be provided;
  - (e) the functions of SEPA in relation to the regulations;
  - (f) the keeping of information and its production to SEPA;
  - (g) the enforcement of the duties imposed by the regulations;
  - (h) offences in relation to failures to comply with requirements of the regulations.
- (3) The power to make regulations under this section is without prejudice to section 34(5) of the 1990 Act and any other enactment to the same effect as that section; and any duty imposed on any person by regulations under this section is without prejudice to any duty to provide information on waste imposed by regulations under that section or by virtue of any other such enactment.

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**Changes to legislation:** There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: Waste data. (See end of Document for details)

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- (4) SEPA may give guidance to persons to whom the regulations apply on how to comply with the requirements of the regulations.
- (5) A draft of a statutory instrument containing the first regulations under subsection (1) must be laid before the Scottish Parliament no later than 12 months after the day on which this section comes into force.
- (6) In this section and in section 89, “SEPA” means the Scottish Environment Protection Agency.

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**Commencement Information**

**II** S. 79 in force at 31.10.2009 by [S.S.I. 2009/341](#), [art. 2\(2\)\(a\)](#)

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