SCOTTISH STATUTORY INSTRUMENTS

# 2015 No. 383

# ENVIRONMENTAL PROTECTION ENFORCEMENT

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

Made - - - - Coming into force

11th November 2015 12th November 2015

# THE ENVIRONMENTAL REGULATION (ENFORCEMENT MEASURES) (SCOTLAND) ORDER 2015

### PART 1

- 1. Citation and commencement
- 2. Interpretation

## PART 2

- 3. The enforcement measures
- 4. Combination of sanctions

### PART 3

- 5. Recovery of payments
- 6. Withdrawal of notice etc.
- 7. Appeals
- 8. Powers of the Court
- 9. Guidance
- 10. Additional guidance
- 11. Publication of enforcement action
- 12. Payment of penalties etc to the Scottish Ministers

# PART 4

- 13. Amendment of the Scottish Land Court Act 1993
- 14. Amendment of Fees Order

**Status:** This is the original version (as it was originally made).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

Signature

#### SCHEDULE 1 Fixed monetary penalties

- 1. Power to impose fixed monetary penalties
- 2. Relevant offences for fixed monetary penalties
- 3. Specified amount
- 4. Notice of intent
- 5. Right to make written representations
- 6. Decision to impose fixed monetary penalty
- 7. Final notice
- 8. Appeals against a fixed monetary penalty
- 9. Payment requirements
- 10. Late payment penalties
- 11. Fixed monetary penalties: effect on criminal proceedings etc. SCHEDULE 2 Variable monetary penalties etc.

#### CHAPTER 1

#### Variable Monetary Penalties

- 1. Power to impose variable monetary penalties
- 2. Relevant offences for variable monetary penalties
- 3. Notice of intent
- 4. Right to make written representations
- 5. Decision to impose a variable monetary penalty
- 6. Final notice
- 7. Appeals against variable monetary penalties
- 8. Payment requirements for variable monetary penalties
- 9. Costs recovery notices
- 10. Appeals against costs recovery notices
- 11. Payment requirements for costs recovery notices

## CHAPTER 2

#### VMP Undertakings

- 12. VMP undertakings
- 13. Inaccurate, incomplete and misleading information
- 14. Non-compliance penalties
- 15. Appeals against non-compliance penalties
- 16. Payment requirements for non-compliance penalties

#### CHAPTER 3

#### Effect on criminal proceedings etc. and late payment interest

- 17. Variable monetary penalties: effect on criminal proceedings etc.
- 18. Late payment interest
  - SCHEDULE 3 Enforcement undertakings
- 1. Enforcement undertakings
- 2. Relevant offences for enforcement undertakings

- 3. Contents of an enforcement undertaking
- 4. Consequences of an enforcement undertaking and certificates of noncompliance
- 5. Inaccurate, incomplete or misleading information
- 6. Appeal against a certificate of non-compliance

SCHEDULE 4 Relevant offences and fixed penalty amounts Explanatory Note