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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 7**

**The Packaging Waste (Data Reporting)  
(Scotland) Regulations 2023**

**PART 4**

SEPA's powers and duties

**Monitoring**

- 23.**—(1) SEPA must monitor in accordance with this regulation—
- (a) compliance with their data collection obligations and data reporting obligations by persons who are or may be producers,
  - (b) compliance by operators of schemes with the obligations referred to in regulation 20(1) and (2).
- (2) The duty in paragraph (1) includes a duty to monitor the accuracy of—
- (a) the records kept by producers pursuant to regulation 16,
  - (b) the information provided by producers in reports to SEPA pursuant to regulation 17.
- (3) For the purposes of the discharge of its functions under these Regulations, SEPA may serve a notice in writing (“an information notice”) on—
- (a) any person who has, or who SEPA has reason to believe has, data collection obligations or data reporting obligations,
  - (b) in relation to any person who is a member of a registered scheme, the operator of that scheme.
- (4) An information notice may require that person to maintain records, and supply to SEPA any data specified in the notice which SEPA reasonably considers it needs for those purposes, in such form and within such period following service of the notice, or at such time, as is specified in the notice.
- (5) Where SEPA considers that any information supplied to it by any person further to a notice issued under paragraph (3), or otherwise under these Regulations, is inaccurate in any respect, SEPA may require that person to supply corrected information.

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**Commencement Information**

**II** [Reg. 23](#) in force at 28.2.2023, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Packaging Waste (Data Reporting) (Scotland) Regulations 2023, Section 23.