
WELSH STATUTORY INSTRUMENTS

2004 No. 1490

The Landfill Allowances Scheme (Wales) Regulations 2004

PART 4

Penalties

Penalties: failure to comply with reporting requirements

14.—(1) Except where paragraphs (2) and (4) apply, the amount of the penalty to which a waste disposal authority is liable under section 12(3) of the Act is £1,000.

(2) Where a waste disposal authority—

(i) understates the amount of collected municipal waste or the amount of [^{F1}collected municipal waste] sent to landfills; or

(ii) overstates the amount of [^{F2}collected municipal waste] diverted to other waste facilities,

the penalty to which a waste disposal authority is liable under section 12(3) of the Act is £200 per tonne of the error.

(3) For the purposes of paragraph (2), “the error” is the amount by which the actual amount of [^{F3}biodegradable collected municipal waste] which was sent to landfill by the waste disposal authority in the scheme year exceeds the amount of [^{F3}biodegradable collected municipal waste] which would have been sent to landfill for that year if the figures stated by the authority had been correct.

(4) Where a waste disposal authority fails to submit any returns in relation to a scheme year in accordance with regulation 6(4), that authority is liable to a penalty equal to £400 for each tonne of the total allowance allocated to that authority for that scheme year.

Textual Amendments

F1 Words in reg. 14(2)(i) substituted (15.1.2012 immediately after 12:01 am) by [The Landfill Allowances Scheme \(Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/65\)](#), regs. 1(3), 2(2), 7(b)

F2 Words in reg. 14(2)(ii) substituted (15.1.2012 immediately after 12:01 am) by [The Landfill Allowances Scheme \(Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/65\)](#), regs. 1(3), 2(2), 7(c)

F3 Words in Regulations substituted (15.1.2012 immediately after 12:01 am) by [The Landfill Allowances Scheme \(Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/65\)](#), regs. 1(3), 2(2), 8

Status:

Point in time view as at 15/01/2012.

Changes to legislation:

There are currently no known outstanding effects for the The Landfill Allowances Scheme (Wales) Regulations 2004, Section 14.