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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 157**

**The Landfill Allowances Scheme (Scotland) Regulations 2005**

**PART 4**

**Landfill Allowances Register**

**Landfill allowances register**

- 16.**—(1) The monitoring authority must maintain a landfill allowances register.
- (2) In relation to each waste disposal authority the landfill allowances register must contain—
- (a) a landfill allowance account recording for each scheme year—
    - (i) the number and reference numbers of allowances allocated to the waste disposal authority under section 4 of the Act;
    - (ii) any alteration of allocations under section 5 of the Act;
    - (iii) the number and reference numbers of allowances banked, borrowed, or transferred to or from the account;
    - (iv) the total number of allowances available to the authority;
    - (v) after the monitoring authority has complied with regulation 14(1)—
      - (aa) the amount of biodegradable municipal waste sent to landfills by the authority,
      - (bb) the number of landfill allowances needed to authorise the sending to landfills of that amount; and
    - (vi) after the monitoring authority has complied with regulation 15—
      - (aa) the number and reference number of any allowances which have been utilised,
      - (bb) the number (if any) of landfill allowances which were available for the scheme year and were not utilised,
      - (cc) the amount (if any) in tonnes by which biodegradable waste sent to landfills by the waste disposal authority exceeded the landfill allowances available to the authority;
  - (b) a transaction log detailing the following information in relation to the allocation, banking, borrowing, transfer, and withdrawal of landfill allowances—
    - (i) the date that the transaction is included in the register;
    - (ii) the reference numbers of the landfill allowances allocated, banked, borrowed, transferred or withdrawn;
    - (iii) in the case of a transfer the waste disposal authorities involved; and
    - (iv) in the case of any banking or borrowing, the year—
      - (aa) for which the landfill allowances were originally allocated,

(bb) to which they have been banked or borrowed.

(3) At the end of the reconciliation period for a scheme year the landfill allowances register must record for that scheme year the total price (if any) paid by waste disposal authorities for the transfer of landfill allowances to that scheme year.

**Commencement Information**

**I1** Reg. 16 in force at 1.4.2005, see [reg. 1\(2\)](#)

**Amendment of information on registers**

**17.**—(1) Where a relevant authority has reason to believe that any information on the landfill allowances register is incorrect, the authority may amend the register so as to correct that information.

(2) Before a relevant authority amends a register under paragraph (1) it must—

- (a) consult any waste disposal authority which would be affected by the amendment, and
- (b) have regard to any representations made by a waste disposal authority.

(3) Where a relevant authority amends a register under paragraph (1) it must notify any waste disposal authority which is affected by the amendment of the amendment which has been made.

**Commencement Information**

**I2** Reg. 17 in force at 1.4.2005, see [reg. 1\(2\)](#)

**Availability of register**

**18.** A relevant authority must—

- (a) make the landfill allowances register available for inspection by members of the public at its principal office free of charge at all reasonable times; and
- (b) afford to members of the public, facilities for obtaining copies of entries in the register on payment of a reasonable charge.

**Commencement Information**

**I3** Reg. 18 in force at 1.4.2005, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Landfill Allowances Scheme (Scotland) Regulations 2005, PART 4.