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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 157**

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

**PART 3**

**Monitoring**

**Calculation of the amount of biodegradable municipal waste sent to landfills**

**14.**—(1) No later than 5 months after the end of a scheme year, in relation to each waste disposal authority the monitoring authority must—

- (a) calculate in accordance with paragraphs (3) and (4), the amount of biodegradable municipal waste sent to landfills by the authority during the scheme year;
- (b) prepare, in accordance with regulation 15, a draft reconciliation for the authority by reconciling the allowances available to the authority for the scheme year with the amount of biodegradable municipal waste sent to landfills by the authority as calculated under sub-paragraph (a); and
- (c) notify the authority of—
  - (i) the calculation under sub-paragraph (a),
  - (ii) the draft reconciliation under sub-paragraph (b).

(2) Paragraph (1) only applies where, in accordance with regulation 11(4), the waste disposal authority has submitted a return for each 3 month period in the scheme year.

(3) In making the calculation referred to in paragraph (1)(a) the monitoring authority shall carry out the following steps—

- (a) calculate the amount of biodegradable municipal waste by weight in the amount of collected municipal waste for the scheme year;
- (b) if any municipal waste is sent to any waste facilities, subtract from the amount calculated under sub-paragraph (a) the amount of biodegradable municipal waste by weight which is sent to those waste facilities;
- (c) if any of the municipal waste mentioned in sub-paragraph (b) is sent to landfills after treatment at the waste facilities mentioned in the same paragraph, add to the amount calculated under sub paragraph (b) the amount of biodegradable municipal waste by weight which is sent to those landfills.

(4) The monitoring authority must round the amount calculated in accordance with paragraph (3) up to the nearest tonne.