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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 228**

**The Waste Management Licensing (Scotland) Regulations 2011**

**Particulars to be entered in public registers**

**8.—(1)** A register maintained by the waste regulation authority under section 64(1) must contain full particulars of—

- (a) current or recently current waste management licences (“licences”) granted by the authority and any associated working plans;
- (b) current or recently current applications to the authority for licences, or for the transfer or modification of licences, including details of—
  - (i) documents submitted by applicants containing supporting information;
  - (ii) written representations considered by the authority under section 36(4)(b) or (7)(b), or 37(5);
  - (iii) notices by the authority rejecting applications;
  - (iv) emergencies resulting in the postponement of references under section 37(5)(a);
- (c) notices issued by the authority under section 37 effecting the modification of licences;
- (d) notices issued by the authority under section 38 effecting the revocation or suspension of licences or imposing requirements on the holders of licences;
- (e) notices of appeal under section 43 relating to decisions of the authority and other documents relating to those appeals served on or sent to the authority under regulation 4(3) or (5) or 7(3);
- (f) convictions of holders of licences granted by the authority for any offence under Part II of the 1990 Act (whether or not in relation to a licence) or regulation 19(1) of the 2003 Regulations including the name of the offender, the date of conviction, the penalty imposed and the name of the Court;
- (g) reports produced by the authority in discharge of any functions under section 42, including details of—
  - (i) remedial or preventive action taken by the authority under section 42(3);
  - (ii) notices issued by the authority under section 42(5);
- (h) any monitoring information relating to the carrying on of an activity under a licence granted by the authority which was obtained by the authority as a result of its own monitoring or was given to the authority in writing by virtue of any condition of the licence or section 71(2);
- (i) directions given by the Scottish Ministers to the authority under section 35(7), 37(3), 38(7), 42(8) or 66(7);
- (j) any summary prepared by the authority of the amount of special waste produced or disposed of in Scotland;
- (k) registers and records provided to the authority under regulation 15(5) or 16(1) of the Special Waste Regulations 1996;

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**Changes to legislation:** The Waste Management Licensing (Scotland) Regulations 2011, Section 8 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (l) applications to the authority under section 39 for the surrender of licences, including details of—
    - (i) documents submitted by applicants containing supporting information and evidence;
    - (ii) information and evidence obtained under section 39(4);
    - (iii) written representations considered by the authority under section 39(7)(b); and
    - (iv) notices of determination and certificates of completion issued under section 39(9);
  - (m) written reports under section 109(2) of the 1995 Act by persons authorised by the authority under section 108(1) or (2) of that Act where the articles or substances seized and rendered harmless are waste;
  - (n) all particulars of any conditioning plan or notification as referred to in paragraph 1(3) of Schedule 5 to the 2003 Regulations;
  - (o) all particulars of any notice of a decision under paragraph 1(3)(b) of Schedule 5 to the 2003 Regulations;
  - (p) all particulars of any notification or report required before definitive closure of a landfill under regulation 17(4) of the 2003 Regulations.
- (2) Paragraph (1) is subject to sections 65 and 66 and regulation 9.
- (3) The register must contain a record of—
- (a) the exercise of any power under section 108(4) of the 1995 Act by any person authorised by the authority in connection with its functions under Part II of the 1990 Act;
  - (b) when the power was exercised;
  - (c) what information was obtained; and
  - (d) what action was taken.
- (4) Where any information which shows whether or not there is compliance with any condition of a waste management licence is excluded from the register under section 66, the register must contain a statement indicating whether or not there is compliance with that condition.
- (5) For the purposes of this regulation—
- (a) waste management licences are “recently current” for the period of twelve months after they cease to be in force; and
  - (b) applications for waste management licences or for the transfer or modification of such licences, are “recently current”—
    - (i) if they relate to a waste management licence which is current or recently current; or
    - (ii) in the case of an application which is rejected, for the period of twelve months beginning with the date on which the waste regulation authority gives notice of the rejection or, as the case may be, on which the application is deemed by section 36(9), 37(6) or 40(6) to have been rejected.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(2A) inserted by [S.S.I. 2024/191 reg. 4\(b\)](#)
- reg. 17A inserted by [S.S.I. 2024/191 reg. 6](#)