

## SCHEDULE 4

### GRANT OF PERMITS

#### PART 3

##### NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

**31.** Paragraphs 8 or 22 do not apply in so far as they would require the advertisement of any information mentioned in paragraphs 9 or 22 which is not included in the register by virtue of regulations 65 or 66.

**32.** Paragraph 13, other than paragraph 13(f), does not apply in so far as it would require a person mentioned in that paragraph to be given information which is not included in the register by virtue of regulation 65.

**33.** Subject to paragraph 34, paragraph 13(b) and (c)(i) and (iii) do not apply in so far as they would require a person mentioned in that paragraph to be given information which is not included in the register by virtue of regulation 66.

**34.** Paragraph 33 does not apply to information excluded from the register by virtue of regulation 66 in so far as—

- (a) in the case of an authority mentioned in paragraph 13(b), the information is about the release of any substance which may affect a site of special scientific interest or a European site,
- (b) in the case of Scottish Water, the information is about the release of any substance into a sewer vested in Scottish Water,
- (c) in the case of an authority mentioned in paragraph 13(c)(iii), the information is about the release of any substance into a harbour managed by that authority.

**35.** Where a matter falls to be determined for the purposes of regulations 65 or 66—

- (a) the period within which an advertisement is to be published under paragraph 8 is a 28 day period beginning 14 days after the day on which the matters are so determined,
- (b) the period for notification under paragraph 13 is a 14 day period beginning 14 days after the day on which the matters are so determined,
- (c) the period within which an advertisement is to be published under paragraph 22 is a 3 day period beginning 14 days after the day on which the matters are so determined.

**36.** For the purposes of paragraph 35, and paragraphs 18, 20 and 21 of Schedule 7, the matters to be determined under regulation 66 are so determined—

- (a) where SEPA determines under that regulation that information is commercially confidential, on the date of the determination by SEPA, or
- (b) where SEPA determines under that regulation that the information is not commercially confidential—
  - (i) on the date on which any period for bringing an appeal expires without an appeal being brought, or
  - (ii) if an appeal is brought, on the date of the final determination or withdrawal of the appeal (as the case may be).