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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Sections 33A and 88 of the Environmental Protection Act 1990 provide for the payment of a fixed penalty to discharge any liability to conviction for the waste (including littering and flytipping) and littering offences under sections 33 and 87 respectively of that Act.

This Order increases the fixed penalty under section 33A from £50 to £200, and the fixed penalty under section 88 from £50 to £80.

A business and regulatory impact assessment has not been prepared for this Order as no impact upon business is foreseen.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Litter (Fixed Penalties) (Scotland) Order 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art. 1 coming into force by [S.S.I. 2013/315 art. 1\(1\)](#)
- art. 2 coming into force by [S.S.I. 2013/315 art. 1\(1\)](#)
- art. 3 coming into force by [S.S.I. 2013/315 art. 1\(1\)](#)
- art. 3(a) omitted by [S.S.I. 2023/335 art. 3](#)
- art. 4 coming into force by [S.S.I. 2013/315 art. 1\(1\)](#)