

SCHEDULE 4

Schedule 1, paragraphs 2 and 3

Relevant offences and fixed penalty amounts

In the following table—

“FMP” is a fixed monetary penalty;

“VMP” is a variable monetary penalty;

“EU” is an enforcement undertaking; and

“FMP amount” is the level of fixed monetary penalty specified in accordance with paragraph 3 of Schedule 1.

<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
The Control of Pollution Act 1974(1)				
Section 30Z(3) (failure to give notice of proposed abandonment of a mine timeously)	YES	YES	YES	LOW
The Wildlife and Countryside Act 1981(2)				
Section 14K(1) (failing to comply with a species control order)	YES	YES	YES	MEDIUM
Section 14K(2) (obstruction)	YES	NO	NO	LOW
Section 14K(3) (carrying out an excluded operation)	YES	YES	YES	MEDIUM
The Sludge (Use in Agriculture) Regulations 1989(3)				
Regulation 9 (offences in relation to the use of sludge on agricultural land)	YES	YES	YES	MEDIUM
The Control of Pollution (Amendment) Act 1989(4)				
Section 1(1) (transporting controlled waste without registration)	YES	YES	YES	LOW
Section 5(4) (obstructing an authorised officer or constable or failing to comply with requirements in exercise of enforcement powers)	YES	NO	NO	LOW
Section 6(9) (obstruction: seizure of vehicles)	YES	NO	NO	LOW
Section 7(3)(a) (failure to provide information)	YES	YES	YES	LOW
Section 7(3)(b) (false or misleading information)	YES	YES	YES	HIGH
The Environmental Protection Act 1990(5)				

(1) 1974 c.40; section 30Z was inserted by the Environment Act 1995 (c.25), section 59.

(2) 1981 c.69; section 14K was inserted by the Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), section 16.

(3) S.I. 1989/1263, to which there are amendments not relevant to this Order.

(4) 1989 c.14; sections 5 and 6 were relevantly amended by the Environmental Protection Act 1990 (c.43), Schedule 15, paragraph 31(2).

(5) 1990 c.43.

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Section 33(6) (unauthorised or harmful depositing, treatment or disposal etc. of waste; breaching conditions of a waste management licence)(6)	YES	YES	YES	MEDIUM
Section 34(6) (failure to comply with duty of care requirements)(7)	YES	YES	YES	LOW
Section 35(7B) (waste management licences: false entry in records, and forgery of licences etc.)(8)	YES	YES	YES	HIGH
Section 38(10) or (11) (failure to comply with measures required following suspension of licence)	YES	YES	YES	MEDIUM
Section 44(1) (false or misleading statements)(9)	YES	YES	YES	HIGH
Section 44(2) (making false entries)	YES	YES	YES	HIGH
Section 57(5) (failure to comply with ministerial direction relating to waste acceptance etc.)	YES	YES	YES	LOW
Section 59(5) (failure to comply with notice requiring removal of waste)	YES	YES	YES	MEDIUM
Section 63(2) (offences in relation to depositing waste other than controlled waste)	YES	YES	YES	MEDIUM
Section 71(3) (failure to comply with information notice)(10)	YES	YES	YES	LOW
Section 78M(1) (failure to comply with a remediation notice)(11)	YES	YES	YES	MEDIUM
The Radioactive Substances Act 1993(12)				
Section 32(1) (offences relating to registration or authorisation)(13)	NO	YES	YES	
Section 33(1) (failure to display copies of documents)	YES	NO	YES	LOW
Section 33(2) (taking down or defacing documents)	YES	NO	YES	LOW

(6) Section 33 was relevantly amended by S.S.I. 2009/247 and S.S.I. 2011/226.

(7) Section 34 was relevantly amended by S.S.I. 2000/323, S.S.I. 2011/226, S.S.I. 2012/148, S.S.I. 2012/360 and S.S.I. 2005/22.

(8) Subsection (7B) was inserted by paragraph 66(2) of Schedule 22 to the Environment Act 1995 (c.25) (“the 1995 Act”).

(9) Section 44 was substituted by paragraph 4(1) of Schedule 19 to the 1995 Act.

(10) Section 71 was relevantly amended by paragraph 86(1) and (2) of Schedule 22, and paragraph 1 of Schedule 24, to the 1995 Act.

(11) Section 78M was inserted by section 57 of the Environment Act 1995 (c.25) and extended by regulation 2 of S.S.I. 2007/179 so that it has effect in relation to harm or, subject to an exception in regulation 2(2), pollution of the water environment, so far as attributable to radioactivity possessed by any substance.

(12) 1993 c.12.

(13) Section 32(1) was amended by paragraph 11 of Schedule 15 to the Energy Act 2004 (c.20) (“the 2004 Act”).

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Section 33(3) (failure to comply with requirements relating to site or disposal records)	YES	YES	YES	LOW
Section 34A(1) or (2) (offences of making false or misleading statements or false entries)(14)	YES	YES	YES	HIGH
The Environment Act 1995(15)				
Section 27(3)(a) (failure to comply with information notices)(16)	YES	YES	YES	LOW
Section 27(3)(b) (false statements)	YES	YES	YES	HIGH
Section 110(1) (obstruction)	YES	NO	NO	LOW
Section 110(2)(a) (failure to comply with a requirement imposed under enforcement powers)(17)	YES	NO	NO	LOW
Section 110(2)(b) (failure to provide facilities or assistance)	YES	NO	NO	LOW
Section 110(2)(c) (preventing answers)	YES	NO	NO	LOW
Section 110(3) (pretending to be an authorised person)	YES	NO	NO	LOW
The Special Waste Regulations 1996(18)				
Regulation 18(1) (failure to comply with regulations) insofar as it relates to—				
(a) a failure to comply with regulation 17 or 17A of those Regulations;	YES	YES	YES	MEDIUM
(b) a failure to comply with any other obligation or requirement.	YES	YES	YES	LOW
Regulation 18(3) (false or misleading statements)	YES	YES	YES	HIGH
Regulation 18(4) (false entries in records)	YES	YES	YES	HIGH
The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Regulations 2000(19)				
Regulation 13(1) (holding contaminated equipment without registration)	YES	YES	YES	MEDIUM

(14) Section 34A was inserted by paragraph 6 of Schedule 19 to the 1995 Act and was amended by paragraph 12 of Schedule 15 to the 2004 Act.

(15) 1995 c.25.

(16) Section 27 was amended by paragraph 43(2) of schedule 3 to the Regulatory Reform (Scotland) Act 2014 (asp 3) (“the 2014 Act”).

(17) Section 110 was amended by paragraph 29(6) of schedule 3 to the 2014 Act.

(18) S.I. 1996/972, to which there are amendments not relevant to this Order.

(19) S.S.I. 2000/95. Regulation 17A was added by S.S.I. 2005/112.

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Regulation 13(2) (offences relating to holding, disposing and decontaminating of equipment)	YES	YES	YES	MEDIUM
Regulation 13(3) (failure to comply with labelling requirements)	YES	YES	YES	LOW
Regulation 13(4)(a) (false or misleading registration information)	YES	YES	YES	HIGH
Regulation 13(4)(b) (failure to provide inventories information)	YES	YES	YES	LOW
Regulation 13(4)(c) (false or misleading information)	YES	YES	YES	HIGH
The Waste and Emissions Trading Act 2003(20)				
Section 13(2) (failure to maintain records, gather information, or make returns etc.)	YES	YES	YES	LOW
Section 13(4)(a) (obstruction)	YES	NO	NO	LOW
Section 13(4)(b) (failure to comply with investigatory powers conferred under section 13(3))(21)	YES	NO	NO	LOW
The Water Environment and Water Services (Scotland) Act 2003(22)				
Section 18(9)(a) (failure to comply with information notice etc.)	YES	YES	YES	LOW
Section 18(9)(b) (altering, supressing or destroying documents)	YES	YES	YES	HIGH
The Landfill (Scotland) Regulations 2003(23)				
Regulation 19(1) (landfill operator breaching certain prohibitions, criteria and requirements)	YES	YES	NO	MEDIUM
The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2003(24)				
Regulation 11 insofar as it relates to a failure to comply with requirements under—				
regulation 2(1), 2(2), 3(1) or 6 of those Regulations;	YES	YES	YES	MEDIUM
regulation 10 of those Regulations	YES	YES	YES	LOW

(20) [2003 c.33](#).

(21) The power to make regulations under section 13(1) of the Waste and Emissions Trading Act 2003 was exercised in [S.S.I. 2005/157](#).

(22) [2003 asp 3](#). Section 18 is applied with modifications to as much of the Northumbria River Basin District as lies within Scotland by [S.I. 2003/3245](#), and to as much as the Solway Tweed River Basin District as lies within Scotland by [S.I. 2004/99](#).

(23) [S.S.I. 2003/235](#); regulation 19 was amended by [S.S.I. 2003/343](#) and the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8).

(24) [S.S.I. 2003/531](#). Regulation 11 was amended by [S.S.I. 2006/133](#).

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
The Producer Responsibility Obligations (Packaging Waste) Regulations 2007(25)				
Regulation 40(1)(a) (breaching the producer registration obligation)	YES	YES	YES	MEDIUM
Regulation 40(1)(b) (breaching producer recovery and recycling obligations)	YES	YES	YES	MEDIUM
Regulation 40(1)(c) (breaching the certifying obligation)	YES	YES	YES	LOW
Regulation 40(3) (breaching operator recovery and recycling obligations)	YES	YES	YES	MEDIUM
Regulation 40(4) (contravening requirements or conditions of accreditation)	YES	YES	YES	MEDIUM
Regulation 40(5) (false or misleading information)	YES	YES	YES	HIGH
Regulation 40(6) (failure to comply with notice requirements)	YES	YES	YES	MEDIUM
Regulation 40(7) (obstruction)	YES	NO	NO	LOW
Regulation 40(8)(a) (holding companies; failure to comply with recovery and recycling obligations)	YES	YES	YES	MEDIUM
Regulation 40(8)(b) (holding companies; failure to furnish a certificate of compliance)	YES	YES	YES	LOW
The Environmental Liability (Scotland) Regulations 2009(26)				
Regulation 10(6) (failure by operator to take preventive measures, etc.)	YES	YES	YES	MEDIUM
Regulation 11(7) (failure by operator to identify potential remedial measures, etc.)	YES	YES	YES	MEDIUM
Regulation 12(5) (failure by operator to take remedial action, etc.)	YES	YES	YES	MEDIUM
Regulation 18(4) (failure to provide required information)	YES	YES	YES	LOW
The Waste Batteries and Accumulators Regulations 2009(27)				
Regulation 89(1)(a)(i) to (xx) (producer failing to comply with requirements etc.)	YES	YES	YES	MEDIUM
Regulation 89(1)(a)(xxi) (failure to declare battery producer registration number)	YES	YES	YES	LOW
Regulation 89(1)(b) (false or misleading information), insofar as it relates to information furnished under regulation 11	YES	YES	YES	HIGH

(25) [S.I. 2007/871](#), to which there are amendments not relevant to this Order.

(26) [S.S.I. 2009/266](#), to which there are amendments not relevant to this Order.

(27) [S.I. 2009/890](#), to which there are amendments not relevant to this Order.

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
(information provided to operators of battery compliance schemes), 27 (application by a small producer to register) or 29 (notification of changes to registration details)				
Regulation 89(1)(c) (false or misleading information)	YES	YES	YES	HIGH
Regulation 89(1)(d) (false or misleading information) insofar as it relates to reports furnished under regulation 13 (reporting: portable batteries placed on the market by a small producer) or 16(5) or (6) (reporting: portable batteries)	YES	YES	YES	HIGH
Regulation 89(2)(a)(scheme operator failing to comply with requirements etc.)	YES	YES	YES	MEDIUM
Regulation 89(2)(b) (false or misleading information)	YES	YES	YES	HIGH
Regulation 89(2)(c) (false or misleading declaration of compliance by scheme operator)	YES	YES	YES	HIGH
Regulation 89(4)(a) (approved battery treatment operator failing to comply with requirements etc.)	YES	YES	YES	MEDIUM
Regulation 89(4)(b) (false or misleading report by approved battery treatment operator)	YES	YES	YES	HIGH
Regulation 89(6)(a) (disposing of waste automotive and industrial batteries in landfill or by incineration)	YES	YES	YES	MEDIUM
Regulation 89(6)(b) (failure to comply with requirement for approval of battery treatment operators and exporters)	YES	YES	YES	MEDIUM
Regulation 89(6)(c) (disclosing information in contravention of regulation 82) insofar as the information disclosed under or by virtue of regulation 82(1) was disclosed by SEPA	YES	YES	YES	LOW
Regulation 89(6)(d) (failure to comply with an enforcement notice) insofar as enforcement notice was served by SEPA	YES	YES	YES	MEDIUM
Regulation 89(6)(e) (failure to comply with a requirement; powers of entry and inspection) insofar as the requirement	YES	NO	NO	LOW

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was imposed by an enforcement officer authorised by SEPA				
Regulation 89(6)(f) (obstruction) insofar as the enforcement officer was authorised by SEPA	YES	NO	NO	LOW
Regulation 89(6)(g) (failure to provide assistance or information) insofar as the requirement was imposed by an enforcement officer authorised by SEPA	YES	NO	NO	LOW
Regulation 89(6)(h) (failure to produce records or information) insofar as the requirement to produce a record or information was imposed by an enforcement officer authorised by SEPA	YES	YES	YES	LOW
Regulation 89(6)(i) (false or misleading information to an enforcement officer) insofar as the information was provided to an enforcement officer authorised by SEPA	YES	YES	YES	HIGH
The Flood Risk Management (Scotland) Act 2009(28)				
Section 47(1)(a) (failure to provide information or documents required by notice)	YES	YES	YES	LOW
Section 47(1)(b) (disposal, altering etc. of documents)	YES	YES	YES	HIGH
Section 80(5) (obstruction)	YES	NO	NO	LOW
The Waste Information (Scotland) Regulations 2010(29)				
Regulation 6(1)(a) (offences related to waste information requests)	YES	YES	YES	LOW
Regulation 6(1)(b) (false or misleading statements)	YES	YES	YES	HIGH
The Reservoirs (Scotland) Act 2011(30)				
Section 5(2) (failure to comply: duty of multiple reservoir managers to co-operate)	YES	YES	YES	HIGH
Section 17(1) or (2) (failure to comply with registration requirements)	YES	YES	YES	HIGH
Section 42(1)(a) (failure to give notice of proposed construction or alteration works), in so far as—				
(a) it relates to a controlled reservoir subject to alteration, where—				

(28) 2009 asp 6.

(29) S.S.I. 2010/435.

(30) 2011 asp 9.

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
(i) the reservoir is a high-risk reservoir ⁽³¹⁾ ;	YES	YES	YES	MEDIUM
(ii) the reservoir is a not a high-risk reservoir;	YES	YES	YES	LOW
(b) it relates to a controlled reservoir being constructed.	YES	YES	YES	MEDIUM
Section 42(1)(b) (failure to appoint a construction engineer), in so far as—				
(a) it relates to a controlled reservoir subject to alteration, where—				
(i) the reservoir is a high-risk reservoir;	YES	YES	YES	MEDIUM
(ii) the reservoir is a not a high-risk reservoir.	YES	YES	YES	LOW
(b) it relates to a controlled reservoir being constructed.	YES	YES	YES	HIGH
Section 42(1)(c) (failure to notify SEPA of the appointment of construction engineer), in so far as—				
(a) it relates to a controlled reservoir subject to alteration, where—				
(i) the reservoir is a high-risk reservoir;	YES	YES	YES	MEDIUM
(ii) the reservoir is a not a high-risk reservoir.	YES	YES	YES	LOW
(b) it relates to a controlled reservoir being constructed.	YES	YES	YES	MEDIUM
Section 42(1)(d) (failure to comply with direction as to the taking of safety measures in safety report)	YES	YES	YES	HIGH
Section 42(1)(e) (failure to comply with preliminary certificate or final certificate), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	HIGH
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	MEDIUM
Section 52(1)(a) (failure to appoint inspecting engineer and carry out required inspections)	YES	YES	YES	HIGH

⁽³¹⁾ Reservoirs may be designated as “high-risk reservoirs” under section 19, 21, 23 or, as the case may be, 24 of the Reservoirs (Scotland) Act 2011 (asp 9).

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Section 52(1)(b) (failure to notify SEPA of appointment of inspecting engineer)	YES	YES	YES	MEDIUM
Section 52(1)(c) (failure to comply with direction as to the taking of measures in inspection report)	YES	YES	YES	HIGH
Section 52(1)(d) (failure to appoint supervising engineer)	YES	YES	YES	HIGH
Section 52(1)(e) (failure to notify SEPA of appointment of supervising engineer)	YES	YES	YES	MEDIUM
Section 52(1)(f) (failure to comply with direction of supervising engineer as to carrying out of visual inspection), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	HIGH
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	MEDIUM
Section 52(1)(g) (failure to comply with notice of identification of something which might affect the safety of the reservoir)	YES	YES	YES	HIGH
Section 52(1)(h) (failure to keep record of water levels etc.), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	MEDIUM
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	LOW
Section 52(2) (failure to give inspection engineer copy of final certificate and latest inspection report), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	MEDIUM
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	LOW
Section 58(1)(a) (failure to maintain records etc.), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	MEDIUM
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	LOW
Section 58(1)(b) (failure to display emergency response information), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	MEDIUM
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	LOW

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Section 66(1) (failure to comply with a notice regarding appointment of engineer or to notify appointment)	YES	YES	YES	HIGH
Section 70(1) (failure to comply with enforcement notice)	YES	YES	YES	HIGH
Section 94(1) (obstruction or preventing access to land)	YES	NO	NO	LOW
Section 99(1) (failure to provide reasonable facilities to engineers or information or assistance to SEPA)	YES	YES	NO	MEDIUM
Section 99(2) (altering, suppressing or destroying documents)	YES	YES	YES	HIGH
Section 103(4) (failure to provide notice of revocation of appointment or resignation of engineer), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	HIGH
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	MEDIUM
The Water Environment (Controlled Activities) (Scotland) Regulations 2011(32)				
Regulation 44(1)(a) (breaching prohibition on unauthorised controlled activity)	YES	YES	YES	MEDIUM
Regulation 44(1)(b) (failure to comply with a general binding rule)	YES	YES	YES	MEDIUM
Regulation 44(1)(c) (failure to comply with a registration)	YES	YES	YES	MEDIUM
Regulation 44(1)(d) (failure to comply with a water use licence)	YES	YES	YES	MEDIUM
Regulation 44(1)(e) to (i) (enforcement powers, obstruction, etc.)	YES	NO	NO	LOW
Regulation 44(1)(j) (failure to comply with an enforcement notice)	YES	YES	YES	MEDIUM
Regulation 44(1)(k) (failure to comply with an information notice)	YES	YES	YES	LOW
Regulation 44(1)(l) to (n) (false or misleading statements, false entries and forged documents etc.)	YES	YES	YES	HIGH
Regulation 44(1)(o) (causing or permitting the committing of an offence), where the person caused or permitted a person to commit an offence—				

(32) [S.S.I. 2011/209](#), to which there are amendments not relevant to this Order.

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<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
(a) under regulation 44(1)(a), (b), (c), (d) or (j);	YES	YES	YES	MEDIUM
(b) under regulation 44(1)(e), (f), (g), (h) or (i);	YES	NO	NO	LOW
(c) under regulation 44(1)(k);	YES	YES	YES	LOW
(d) under regulation 44(1)(l), (m) or (n)	YES	YES	YES	HIGH
The Waste Management Licensing (Scotland) Regulations 2011(33)				
Regulation 19(1) (carrying on an exempt activity without registration)	YES	YES	YES	MEDIUM
Regulation 28(6) (carrying on an exempt activity in breach of the registration obligations)	YES	YES	YES	MEDIUM
Regulation 30(1) (unregistered broker or dealer etc.)	YES	YES	YES	MEDIUM
Paragraph 12(1) of Schedule 4 (unregistered collecting or transporting of waste)	YES	YES	YES	MEDIUM
Paragraph 14(4) of Schedule 4 (failure to comply with record keeping obligations)	YES	YES	YES	LOW
Paragraph 14(6) or (7) of Schedule 4 (false records)	YES	YES	YES	HIGH
The Pollution Prevention and Control (Scotland) Regulations 2012(34)				
Regulation 67(1)(a) (contravention of permit requirements)	YES	YES	YES	MEDIUM
Regulation 67(1)(b) (failure to comply with conditions of a permit)	YES	YES	YES	MEDIUM
Regulation 67(1)(c) (failure to notify SEPA 14 days before change in operation)	YES	YES	YES	LOW
Regulation 67(1)(d) (failure to comply with an enforcement notice, suspension notice or closure notice)	YES	YES	YES	MEDIUM
Regulation 67(1)(e) (failure to comply with information notice)	YES	YES	YES	LOW
Regulation 67(1)(f) (failure to notify SEPA immediately of breach of permit)	YES	YES	YES	LOW
Regulation 67(1)(fa) (carrying out a substantial refurbishment of an installation without authorisation)	YES	YES	YES	MEDIUM

(33) [S.S.I. 2011/228](#).

(34) [S.S.I. 2012/360](#). Regulation 67(1)(fa) was inserted by [S.S.I. 2014/267](#).

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Regulation 67(1)(g) to (i) (false or misleading information, false entries, forging documents etc.)	YES	YES	YES	HIGH
Regulation 67(1)(k) (failure to comply with duties on operators in Part 3 of Schedule 2)	YES	YES	YES	LOW
The CRC Energy Efficiency Scheme Order 2013(35)				
Article 82(1) (false or misleading statements) insofar as the statement is made in purported compliance with article 45, or Parts 9 to 12 of that Order	YES	YES	YES	HIGH
Article 82(2) (failure to comply with enforcement notice) insofar as the enforcement notice was served by SEPA or the Scottish Ministers	YES	YES	YES	MEDIUM
Article 82(4) (pretending to be an unauthorised person) insofar as pretending to be a person authorised by SEPA.	YES	NO	NO	LOW
Article 82(5) (refusing access to premises) insofar as the administrator is SEPA(36).	YES	YES	YES	LOW
The Waste Electrical and Electronic Equipment Regulations 2013(37)				
Regulation 90(1)(a) (failure to comply with producer obligations etc. under regulations 11 to 20)	YES	YES	YES	MEDIUM
Regulation 90(1)(b) or (c) (false or misleading information)	YES	YES	YES	HIGH
Regulation 90(2) (failure to comply with producer obligations etc. under regulations 21 to 24)	YES	YES	YES	LOW
Regulation 90(3)(b) or (c) (false or misleading information)	YES	YES	YES	HIGH
Regulation 90(4) (failure of an operator to ensure that systems are set up to prioritise the reuse of whole appliances)	YES	YES	YES	MEDIUM
Regulation 90(6) (record keeping: distribution)	YES	YES	YES	LOW
Regulation 90(7)(a) (failure of an operator of an approved treatment facility or approved exporter to comply with requirements) insofar as it relates to regulation 54(2), 66 or 67	YES	YES	YES	LOW

(35) [S.I. 2013/1119](#), to which there are amendments not relevant to this Order.

(36) Regulation 9 of [S.I. 2013/1119](#) provides for the meaning of “administrator”.

(37) [S.I. 2013/3113](#), to which there are amendments not relevant to this Order.

<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Regulation 90(7)(a) (failure of an operator of an approved treatment facility or approved exporter to comply with requirements) insofar as it relates to regulation 54(1) or 63	YES	YES	YES	MEDIUM
Regulation 90(7)(b) (false or misleading information: report by operator of authorised treatment facility or approved exporter)	YES	YES	YES	HIGH
Regulation 90(8)(a) (miscellaneous offences) insofar as it relates to regulations 47 and 51	YES	YES	YES	LOW
Regulation 90(8)(a) (miscellaneous offences) insofar as it relates to regulation 60	YES	YES	YES	MEDIUM
Regulation 90(8)(b) (failure to comply with an enforcement notice)	YES	YES	YES	MEDIUM
Regulation 90(8)(c) (entry and inspection powers; failure to comply)	YES	NO	NO	LOW
Regulation 90(8)(d) (obstruction)	YES	NO	NO	LOW
Regulation 90(8)(e) (failure to give assistance or information)	YES	NO	NO	LOW
Regulation 90(8)(f) (failure to produce information when required)	YES	YES	YES	LOW
Regulation 90(8)(g) (false or misleading information)	YES	YES	YES	HIGH
Regulation 90(9) (failure to collect or transport waste electrical and electronic equipment in a way that optimises reuse and recycling)	YES	YES	YES	MEDIUM
The Ozone-Depleting Substances Regulations 2015(38)				
Regulation 8(1) (qualifications and supervision)	YES	YES	YES	MEDIUM
Regulation 8(2) (offences related to training)	YES	YES	YES	MEDIUM
Regulation 15(a) (preventing a person from appearing or answering questions)	YES	NO	NO	LOW
Regulation 15(b) (obstruction)	YES	NO	NO	LOW
Regulation 15(c) (false or misleading information)	YES	YES	YES	HIGH

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision creating offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Regulation 15(d) (failure to produce records)	YES	YES	YES	LOW