
STATUTORY INSTRUMENTS

2013 No. 141

**The Waste and Emissions Trading Act
2003 (Amendment etc.) Regulations 2013**

Penalties

- 5.—(1) Where a waste disposal authority is liable to a penalty under regulation 4—
- (a) the penalty, and any interest on it, is to be paid to the Secretary of State;
 - (b) the Secretary of State may—
 - (i) extend the time for paying the whole or part of the penalty or any interest on it;
 - (ii) relieve the waste disposal authority, in whole or in part, from liability to the penalty or any interest on it.
- (2) Relief under paragraph (1)(b) may be given—
- (a) in respect of an amount after (as well as before) it becomes due;
 - (b) in a particular case or in cases of a particular description;
 - (c) subject to conditions.
- (3) The Secretary of State must assess the amount of the penalty that is to be paid by the waste disposal authority, taking account of any relief that may be given under paragraph (1)(b).
- (4) Payment of the amount of the penalty that is assessed by the Secretary of State under paragraph (3) is due one month after the date on which the waste disposal authority receives notification of that amount by the Secretary of State (“the due date”).
- (5) Where a waste disposal authority does not pay the amount of the penalty in full by the due date, the authority is liable to pay interest on any outstanding amount of that penalty for the period which—
- (a) begins with the due date; and
 - (b) ends with the day before the day on which the penalty is paid in full.
- (6) Interest under this regulation is payable at a rate of one percentage point above LIBOR on a day-to-day basis.
- (7) Where a waste disposal authority receives notification of the amount of the penalty that is to be paid to the Secretary of State under paragraph (4) that amount and any interest incurred under paragraph (5) is recoverable as if it were a civil debt.
- (8) In paragraph (6) “LIBOR” means the sterling three month London interbank offered rate in force during the period between—
- (a) the due date; and
 - (b) the date on which the penalty is paid in full.

Changes to legislation:

There are currently no known outstanding effects for the The Waste and Emissions Trading Act 2003 (Amendment etc.) Regulations 2013, Section 5.