
WELSH STATUTORY INSTRUMENTS

2004 No. 1490

The Landfill Allowances Scheme (Wales) Regulations 2004

PART 4

Penalties

Penalties: general

15.—(1) Where a waste disposal authority is liable to a penalty, [^{F1}the Welsh Ministers] may assess the amount due by way of penalty and notify the waste disposal authority accordingly.

(2) The penalty is due one month after the date on which the waste disposal authority is notified by [^{F1}the Welsh Ministers] of the amount of the penalty under paragraph (1).

(3) Where a waste disposal authority is liable to a penalty under the Act and does not pay the penalty by the date upon which it is due under paragraph (2), the waste disposal authority is liable to pay interest on the penalty for the period which—

(a) begins on the date under paragraph (2); and

(b) ends on the day before the day on which the penalty assessed under paragraph (1) is paid.

(4) Interest under this regulation is payable at a rate of one percentage point above LIBOR on a day to day basis.

(5) For the purposes of paragraph (4), “LIBOR” means the sterling three month London interbank offered rate in force during the period between the date on which the penalty becomes due and the date on which the penalty is paid to [^{F1}the Welsh Ministers].

(6) Where a penalty has been assessed and notified to a waste disposal authority under paragraph (1), the penalty and any interest incurred under paragraph (3) is recoverable as a civil debt.

(7) For the purposes of this regulation, references to penalties include references to interest when payable.

Textual Amendments

F1 Words in reg. 15 substituted (15.1.2012 immediately after 12:01 am) by [The Landfill Allowances Scheme \(Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/65\)](#), regs. 1(3), 2(2), 6

Changes to legislation:

There are currently no known outstanding effects for the The Landfill Allowances Scheme (Wales) Regulations 2004, Section 15.