



Climate Change (Scotland) Act 2009

2009 asp 12

PART 5

OTHER CLIMATE CHANGE PROVISIONS

CHAPTER 5

WASTE REDUCTION AND RECYCLING

Deposit of recyclable waste etc.

81 Recyclable waste: facilities for deposit at events etc.

- (1) The Scottish Ministers may, by regulations, confer power on local authorities to issue notices requiring—
- (a) persons responsible for organising temporary events open to the public to provide facilities for the deposit of waste by persons attending those events;
 - (b) authorised persons to—
 - (i) collect waste deposited by virtue of paragraph (a);
 - (ii) ensure, in so far as reasonably practicable, that such waste collected by or transferred to them (whether in accordance with section 34 of the 1990 Act or otherwise) is recycled.
- (2) The regulations may in particular include provision about—
- (a) the events in relation to which notices can be issued;
 - (b) the circumstances in which facilities must be provided, including the places at which they must be provided;
 - (c) the persons for whom facilities must be provided;
 - (d) the kinds of waste for which facilities must be provided;
 - (e) the persons to whom notices can be issued;
 - (f) the content of notices;
 - (g) the form of and manner in which notices can be issued, including the times at which notices can be issued;
 - (h) appeals against notices;

Status: This is the original version (as it was originally enacted).

- (i) the circumstances in which authorised persons must collect waste, including which authorised persons must do so;
 - (j) the charging by authorised persons for collecting waste, recycling waste and otherwise ensuring waste is recycled;
 - (k) subject to section 89—
 - (i) the enforcement authority in relation to notices; and
 - (ii) the functions of that authority;
 - (l) the keeping of records by persons to whom notices are issued and their production to the enforcement authority;
 - (m) the enforcement of duties imposed by notices;
 - (n) offences in relation to failures to comply with requirements of notices.
- (3) Local authorities must have regard to any guidance given by the Scottish Ministers to them in relation to the functions conferred on them by the regulations.
- (4) The enforcement authority must have regard to any guidance given by the Scottish Ministers to it in relation to the functions conferred on it by the regulations.