



## **THE TRANSFRONTIER SHIPMENT OF WASTE FEES AND CHARGES (SCOTLAND) SCHEME 2016**

The Scottish Environment Protection Agency, in exercise of its powers under Section 41 of the Environment Act 1995 and in accordance with Section 42 and with the approval of the Scottish Ministers, makes the following scheme of fees and charges.

### **1 CITATION, EXTENT, COMMENCEMENT AND REVOCATION**

- 1.1 This scheme shall be cited and referred to as the Transfrontier Shipment of Waste Fees and Charges (Scotland) Scheme 2016 (and it shall be referred to here as "the Scheme").
- 1.2 The Scheme shall apply to Scotland only. It shall remain in full force and effect unless revoked, varied or withdrawn by us.
- 1.3 The Transfrontier Shipment of Waste Fees and Charges (Scotland) Scheme 2015 shall cease to have effect on 1<sup>st</sup> April 2016, insofar as it relates to any period on or after 1<sup>st</sup> April 2016.

### **2 INTERPRETATION**

- 2.1 In the Scheme, unless the contrary intention appears:
  - (a) any meanings given to words or phrases within the Regulations shall have the same meanings here
  - (b) "regulation" shall mean a regulation within "the Regulations"
  - (c) "SEPA" means the Scottish Environment Protection Agency, incorporated under the Environment Act 1995 and having its Corporate Office at Strathallan House, Castle Business Park, Stirling, FK9 4TZ;
  - (d) "us" and "we" means SEPA
  - (e) "the Regulations" means the Transfrontier Shipment of Waste Regulations 2007
  - (f) "the 1995 Act" means the Environment Act 1995

2.2 The Interpretation Act 1978 shall apply to the Scheme; excepting that "year" and "financial year" shall each be defined as being that period from 1 April to 31 March.

2.3 The headings of each of the clauses are for information only and do not affect the meaning of the clauses.

### 3 FEES — GENERAL

3.1 Except if we say otherwise in the Scheme, fees and charges must be paid in full at the same time as submission of the application to which the fee or charge relates. An application submitted without the fee or charge shall be treated as an invalid application.

3.2 We shall endeavour to issue an invoice for any fee or charge which does not have to be paid at the same time as an application is submitted. If, however, an invoice is not received or if an invoice is issued incorrectly the fee is still payable.

3.3 Subject to the remainder of the terms hereof, refunds or credits will be issued where:

(i) A notification is objected to.

The refund or credit for the difference between the charge paid and the minimum charge specified for the relevant type of notification.

(ii) None of the waste approved under a notification is shipped as intended

Upon request, a refund or credit for the difference between the charge paid and the minimum charge specified for the relevant type of notification.

In either event, requests must be received within 12 months from the date of approval of the notification. Where consent has not yet expired, the notifier must also request that consent is withdrawn for the remaining period of consent under the notification. An administration charge of £200 will be deducted from the refund or credit to cover file closure and reporting requirements.

### 4 FEES PAYABLE

4.1 The fees payable to us for shipments of waste are as follows:

Activity	Shipments					
	1	2 to 5	6 to 20	21 to 100	101 to 500	500 +
Export for recovery	£1,450	£1,450	£2,700	£4,070	£7,920	£14,380
Export for non interim disposal	£1,540	£1,540	£3,330	£5,500	£10,600	£19,500
Export for interim disposal	£1,700	£1,700	£3,330	£6,000	£12,900	£24,000
Import for non interim recovery	£1,250	£1,250	£2,700	£4,900	£10,600	£19,500
Import for interim recovery	£1,450	£1,450	£2,830	£5,500	£12,900	£24,000
Import for non-interim disposal	£1,540	£1,540	£3,330	£5,500	£10,600	£19,500
Import for interim disposal	£1,700	£1,700	£3,330	£6,000	£12,900	£24,000

## **5 INCREASES IN FEES**

- 5.1 With effect from 1<sup>st</sup> April 2017 and on every anniversary thereof, SEPA may increase all charges and fees under the Scheme annually in line with increases in the Office for National Statistics measures of inflation as at 30<sup>th</sup> September in the immediately preceding year. Fees and charges shall be rounded up to the nearest pound sterling.

## **6 METHODS OF PAYMENT**

- 6.1 Payment of a fee shall not have been made until we are in receipt of cleared funds.
- 6.2 Subject to the terms of Clause 6.3, payment may be made to us by any of the following methods:
- (i) by cheque, made payable to "the Scottish Environment Protection Agency" and endorsed "A/C Payee only"; or
  - (ii) by BACS transfer, to the Royal Bank of Scotland, Sort Code: 83-34-00, Account No: 00137187, or such other sort code and account details as we may from time to time determine
  - (iii) by credit card or debit card and on completion of the appropriate form included with application forms/invoices
  - (iv) by cash
- 6.3 Payment by credit cards shall attract a variable surcharge.
- 6.4 It is the notifiers duty to ensure that we know that a payment has been made by BACS; that it has come from you and to which permit or application it relates.
- 6.5 We reserve the right to withdraw any method of payment and to introduce new methods of payment, all without notice.

## **7 LIABILITY TO PAY FEES AND CHARGES**

- 7.1 The notifier is obliged to make payment in full to us of all fees stated herein.

## **8 TIME TO MAKE PAYMENT OF FEES AND CHARGES**

- 8.1 Fees payable under this Scheme shall be due and payable in full at the same time as a notification is made to us of a shipment of waste.

**9 DECISIONS UNDER THE SCHEME**

- 9.1 All acts in terms of the Scheme are delegated to the Chief Executive or such officer or officers as he may from time to time authorise. For the avoidance of doubt this includes anything to be assessed, agreed, determined, certified or otherwise decided upon by us.

**IN WITNESS WHERE OF** these presents typewritten on this and the preceding page are executed for and on behalf of SEPA by **Calum Sutherland MacDonald (subscribing his usual signature C MacDonald)**, Executive Director, at Stirling on the Thirtieth March, Two Thousand and Sixteen in the presence of Jane Dewar, Personal Assistant.

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