

Provisional List of offences for FMPs, VMPs and EUs, and provisional levels of FMPs.

<i>Offence</i>	<i>FMP</i>	<i>VMP</i>	<i>EU</i>	<i>FMP amount</i>
Control of Pollution Act 1974				
Section 30Z(3) (failure to give notice of proposed abandonment of a mine timeously)	YES	YES	YES	£300
Wildlife and Countryside Act 1981				
Section 14K(1) (failing to comply with a species control order)	YES	YES	YES	£600
Section 14K(2) (obstruction)	YES	NO	NO	£300
Section 14K(3) (carrying out an excluded operation)	YES	YES	YES	£600
Sludge (Use in Agriculture) Regulations 1989				
Regulation 9 (offences in relation to the use of sludge on agricultural land)	YES	YES	YES	£600
Control of Pollution (Amendment) Act 1989				
Section 1(1) (transporting controlled waste without registration)	YES	YES	YES	£300
Section 5(4)(obstructing an authorised officer or constable or failing to comply with requirements in exercise of enforcement powers)	YES	NO	NO	£300
Section 6(9) (obstruction: seizure of vehicles)	YES	NO	NO	£300
Section 7(3)(a) (failure to provide information)	YES	YES	YES	£300
Section 7(3)(b) (false or misleading information)	YES	YES	YES	£1000
Environmental Protection Act 1990				
Section 33(6) (unauthorised or harmful depositing, treatment or disposal etc. of waste; breaching conditions of a waste management licence)	YES	YES	YES	£600
Section 34(6) (failure to comply with duty of care requirements)	YES	YES	YES	£300

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Section 35(7B) (waste management licences: false entry in records, and forgery of licences etc.)	YES	YES	YES	£1000
Section 38(10) or (11) (failure to comply with measures required following suspension of licence)	YES	YES	YES	£600
Section 44(1) (false or misleading statements)	YES	YES	YES	£1000
Section 44(2) (making false entries)	YES	YES	YES	£1000
Section 57(5) (failure to comply with ministerial direction relating to waste acceptance etc.)	YES	YES	YES	£300
Section 59(5) (failure to comply with notice requiring removal of waste)	YES	YES	YES	£600
Section 63(2) (offences in relation to depositing waste other than controlled waste)	YES	YES	YES	£600
Section 71(3) (failure to comply with information notice)	YES	YES	YES	£300
Section 78M(1) (failure to comply with a remediation notice)	YES	YES	YES	£600
The Radioactive Substances Act 1993				
Section 32(1) (offences relating to registration or authorisation)	NO	YES	YES	
Section 33(1) (failure to display copies of documents)	YES	NO	YES	£300
Section 33(2) (taking down or defacing documents)	YES	NO	YES	£300
Section 33(3) (failure to comply with requirements relating to site or disposal records)	YES	YES	YES	£300
Section 34A(1) or (2) (offences of making false or misleading statements or false entries)	YES	YES	YES	£1000
The Environment Act 1995				
Section 27(3)(a) (failure to comply with information notices)	YES	YES	YES	£300

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Section 27(3)(b) (false statements)	YES	YES	YES	£1000
Section 110(1) (obstruction)	YES	NO	NO	£300
Section 110(2)(a) (failure to comply with a requirement imposed under enforcement powers)	YES	NO	NO	£300
Section 110(2)(b) (failure to provide facilities or assistance)	YES	NO	NO	£300
Section 110(2)(c) (preventing answers)	YES	NO	NO	£300
Section 110(3) (pretending to be an authorised person)	YES	NO	NO	£300
The Special Waste Regulations 1996				
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	£600
(b) a failure to comply with any other obligation or requirement.	YES	YES	YES	£300
Regulation 18(3) (false or misleading statements)	YES	YES	YES	£1000
Regulation 18(4) (false entries in records)	YES	YES	YES	£1000
The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Regulations 2000				
Regulation 13(1) (holding contaminated equipment without registration)	YES	YES	YES	£600
Regulation 13(2) (offences relating to holding, disposing and decontaminating of equipment)	YES	YES	YES	£600
Regulation 13(3) (failure to comply with labelling requirements)	YES	YES	YES	£300
Regulation 13(4)(a) (false or misleading registration information)	YES	YES	YES	£1000

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Regulation 13(4)(b) (failure to provide inventories information)	YES	YES	YES	£300
Regulation 13(4)(c) (false or misleading information)	YES	YES	YES	£1000
The Waste and Emissions Trading Act 2003				
Section 13(2) (failure to maintain records, gather information, or make returns etc.)	YES	YES	YES	£300
Section 13(4)(a) (obstruction)	YES	NO	NO	£300
Section 13(4)(b) (failure to comply with investigatory powers conferred under section 13(3))	YES	NO	NO	£300
The Water Environment and Water Services (Scotland) Act 2003				
Section 18(9)(a) (failure to comply with information notice etc.)	YES	YES	YES	£300
Section 18(9)(b) (altering, suppressing or destroying documents)	YES	YES	YES	£1000
The Landfill (Scotland) Regulations 2003				
Regulation 19(1) (landfill operator breaching certain prohibitions, criteria and requirements)	YES	YES	NO	£600
The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2003				
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	£600
regulation 10 of those Regulations	YES	YES	YES	£300
The Producer Responsibility Obligations (Packaging Waste) Regulations 2007				
Regulation 40(1)(a) (breaching the producer registration obligation)	YES	YES	YES	£600

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Regulation 40(1)(b) (breaching producer recovery and recycling obligations)	YES	YES	YES	£600
Regulation 40(1)(c) (breaching the certifying obligation)	YES	YES	YES	£300
Regulation 40(3) (breaching operator recovery and recycling obligations)	YES	YES	YES	£600
Regulation 40(4) (contravening requirements or conditions of accreditation)	YES	YES	YES	£600
Regulation 40(5) (false or misleading information)	YES	YES	YES	£1000
Regulation 40(6) (failure to comply with notice requirements)	YES	YES	YES	£600
Regulation 40(7) (obstruction)	YES	NO	NO	£300
Regulation 40(8)(a) (holding companies; failure to comply with recovery and recycling obligations)	YES	YES	YES	£600
Regulation 40(8)(b) (holding companies; failure to furnish a certificate of compliance)	YES	YES	YES	£300
The Environmental Liability (Scotland) Regulations 2009				
Regulation 10(6) (failure by operator to take preventive measures, etc.)	YES	YES	YES	£600
Regulation 11(7) (failure by operator to identify potential remedial measures, etc.)	YES	YES	YES	£600
Regulation 12(5) (failure by operator to take remedial action, etc.)	YES	YES	YES	£600
Regulation 18(4) (failure to provide required information)	YES	YES	YES	£300
The Waste Batteries and Accumulators Regulations 2009				
Regulation 89(1)(a)(i) to (xx) (producer failing to comply with requirements etc.)	YES	YES	YES	£600
Regulation 89(1)(a)(xxi) (failure to declare battery producer registration number)	YES	YES	YES	£300

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Regulation 89(1)(b) (false or misleading information), insofar as it relates to information furnished under regulation 11 (information provided to operators of battery compliance schemes), 27 (application by a small producer to register) or 29 (notification of changes to registration details)	YES	YES	YES	£1000
Regulation 89(1)(c) (false or misleading information)	YES	YES	YES	£1000
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	£1000
Regulation 89(2)(a)(scheme operator failing to comply with requirements etc.)	YES	YES	YES	£600
Regulation 89(2)(b) (false or misleading information)	YES	YES	YES	£1000
Regulation 89(2)(c) (false or misleading declaration of compliance by scheme operator)	YES	YES	YES	£1000
Regulation 89(4)(a) (approved battery treatment operator failing to comply with requirements etc.)	YES	YES	YES	£600
Regulation 89(4)(b) (false or misleading report by approved battery treatment operator)	YES	YES	YES	£1000
Regulation 89(6)(a) (disposing of waste automotive and industrial batteries in landfill or by incineration)	YES	YES	YES	£600
Regulation 89(6)(b) (failure to comply with requirement for approval of battery treatment operators and exporters)	YES	YES	YES	£600
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	£300

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Regulation 89(6)(d) (failure to comply with an enforcement notice) insofar as enforcement notice was served by SEPA	YES	YES	YES	£600
Regulation 89(6)(e) (failure to comply with a requirement; powers of entry and inspection) insofar as the requirement was imposed by an enforcement officer authorised by SEPA	YES	NO	NO	£300
Regulation 89(6)(f) (obstruction) insofar as the enforcement officer was authorised by SEPA	YES	NO	NO	£300
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	£300
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	£300
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	£1000
Flood Risk Management (Scotland) Act 2009				
Section 47(1)(a) (failure to provide information or documents required by notice)	YES	YES	YES	£300
Section 47(1)(b) (disposal, altering etc. of documents)	YES	YES	YES	£1000
Section 80(5) (obstruction)	YES	NO	NO	£300
The Waste Information (Scotland) Regulations 2010				
Regulation 6(1)(a) (offences related to waste information requests)	YES	YES	YES	£300
Regulation 6(1)(b) (false or misleading statements)	YES	YES	YES	£1000

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Reservoirs (Scotland) Act 2011				
Section 5(2) (failure to comply: duty of multiple reservoir managers to co-operate)	YES	YES	YES	£1000
Section 17(1) or (2) (failure to comply with registration requirements)	YES	YES	YES	£1000
Section 42(1)(a) (failure to give notice of proposed construction or alteration works), in so far as—				
(c) it relates to a controlled reservoir subject to alteration, where—				
(i) the reservoir is a high-risk reservoir ^(a) ;	YES	YES	YES	£600
(ii) the reservoir is a not a high-risk reservoir;	YES	YES	YES	£300
(d) it relates to a controlled reservoir being constructed.	YES	YES	YES	£600
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	£600
(ii) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£300
(b) it relates to a controlled reservoir being constructed.	YES	YES	YES	£1000
Section 42(1)(c) (failure to notify SEPA of the appointment 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	£600
(ii) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£300

(a) 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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(b) it relates to a controlled reservoir being constructed.	YES	YES	YES	£600
Section 42(1)(d) (failure to comply with direction as to the taking of safety measures in safety report)	YES	YES	YES	£1000
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	£1000
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£600
Section 52(1)(a) (failure to appoint inspecting engineer and carry out required inspections)	YES	YES	YES	£1000
Section 52(1)(b) (failure to notify SEPA of appointment of inspecting engineer)	YES	YES	YES	£600
Section 52(1)(c) (failure to comply with direction as to the taking of measures in inspection report)	YES	YES	YES	£1000
Section 52(1)(d) (failure to appoint supervising engineer)	YES	YES	YES	£1000
Section 52(1)(e) (failure to notify SEPA of appointment of supervising engineer)	YES	YES	YES	£600
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	£1000
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£600
Section 52(1)(g) (failure to comply with notice of identification of something which might affect the safety of the reservoir)	YES	YES	YES	£1000
Section 52(1)(h) (failure to keep record of water levels etc.), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	£600

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(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£300
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	£600
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£300
Section 58(1)(a) (failure to maintain records etc.), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	£600
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£300
Section 58(1)(b) (failure to display emergency response information), where—				
(a) the reservoir is a high-risk reservoir;	YES	YES	YES	£600
(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£300
Section 66(1) (failure to comply with a notice regarding appointment of engineer or to notify appointment)	YES	YES	YES	£1000
Section 70(1) (failure to comply with enforcement notice)	YES	YES	YES	£1000
Section 94(1) (obstruction or preventing access to land)	YES	NO	NO	£300
Section 99(1) (failure to provide reasonable facilities to engineers or information or assistance to SEPA)	YES	YES	NO	£600
Section 99(2) (altering, suppressing or destroying documents)	YES	YES	YES	£1000
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	£1000

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(b) the reservoir is a not a high-risk reservoir.	YES	YES	YES	£600
Water Environment (Controlled Activities) (Scotland) Regulations 2011				
Regulation 44(1)(a) (breaching prohibition on unauthorised controlled activity)	YES	YES	YES	£600
Regulation 44(1)(b) (failure to comply with a general binding rule)	YES	YES	YES	£600
Regulation 44(1)(c) (failure to comply with a registration)	YES	YES	YES	£600
Regulation 44(1)(d) (failure to comply with a water use licence)	YES	YES	YES	£600
Regulation 44(1)(e) to (i) (enforcement powers, obstruction, etc.)	YES	NO	NO	£300
Regulation 44(1)(j) (failure to comply with an enforcement notice)	YES	YES	YES	£600
Regulation 44(1)(k) (failure to comply with an information notice)	YES	YES	YES	£300
Regulation 44(1)(l) to (n) (false or misleading statements, false entries and forged documents etc.)	YES	YES	YES	£1000
Regulation 44(1)(o) (causing or permitting the committing of an offence), where the person caused or permitted a person to commit an offence—				
(a) under regulation 44(1)(a), (b), (c), (d) or (j)	YES	YES	YES	£600
(b) under regulation 44(1)(e), (f), (g), (h) or (i);	YES	NO	NO	£300
(c) under regulation 44(1)(k)	YES	YES	YES	£300
(d) under regulation 44(1)(l), (m) or (n)	YES	YES	YES	£1000
Waste Management Licensing (Scotland) Regulations 2011				
Regulation 19(1) (carrying on an exempt activity without registration)	YES	YES	YES	£600

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Regulation 28(6) (carrying on an exempt activity in breach of the registration obligations)	YES	YES	YES	£600
Regulation 30(1) (unregistered broker or dealer etc.)	YES	YES	YES	£600
Paragraph 12(1) of Schedule 4 (unregistered collecting or transporting of waste)	YES	YES	YES	£600
Paragraph 14(4) of Schedule 4 (failure to comply with record keeping obligations)	YES	YES	YES	£300
Paragraph 14(6) or (7) of Schedule 4 (false records)	YES	YES	YES	£1000
Pollution Prevention and Control (Scotland) Regulations 2012				
Regulation 67(1)(a) (contravention of permit requirements)	YES	YES	YES	£600
Regulation 67(1)(b) (failure to comply with conditions of a permit)	YES	YES	YES	£600
Regulation 67(1)(c) (failure to notify SEPA 14 days before change in operation)	YES	YES	YES	£300
Regulation 67(1)(d) (failure to comply with an enforcement notice, suspension notice or closure notice)	YES	YES	YES	£600
Regulation 67(1)(e) (failure to comply with information notice)	YES	YES	YES	£300
Regulation 67(1)(f) (failure to notify SEPA immediately of breach of permit)	YES	YES	YES	£300
Regulation 67(1)(fa) (carrying out a substantial refurbishment of an installation without authorisation)	YES	YES	YES	£600
Regulation 67(1)(g) to (i) (false or misleading information, false entries, forging documents etc.)	YES	YES	YES	£1000
Regulation 67(1)(k) (failure to comply with duties on operators in Part 3 of Schedule 2)	YES	YES	YES	£300
The CRC Energy Efficiency Scheme Order 2013				

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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	£1000
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	£600
Article 82(4) (pretending to be an unauthorised person) insofar as pretending to be a person authorised by SEPA.	YES	NO	NO	£300
Article 82(5) (refusing access to premises) insofar as the administrator is SEPA.	YES	YES	YES	£300
The Waste Electrical and Electronic Equipment Regulations 2013				
Regulation 90(1)(a) (failure to comply with producer obligations etc. under regulations 11 to 20)	YES	YES	YES	£600
Regulation 90(1)(b) or (c) (false or misleading information)	YES	YES	YES	£1000
Regulation 90(2) (failure to comply with producer obligations etc. under regulations 21 to 24)	YES	YES	YES	£300
Regulation 90(3)(b) or (c) (false or misleading information)	YES	YES	YES	£1000
Regulation 90(4) (failure of an operator to ensure that systems are set up to prioritise the reuse of whole appliances)	YES	YES	YES	£600
Regulation 90(6) (record keeping: distribution)	YES	YES	YES	£300
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	£300
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	£600

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Regulation 90(7)(b) (false or misleading information: report by operator of authorised treatment facility or approved exporter)	YES	YES	YES	£1000
Regulation 90(8)(a) (miscellaneous offences) insofar as it relates to regulations 47 and 51	YES	YES	YES	£300
Regulation 90(8)(a) (miscellaneous offences) insofar as it relates to regulation 60	YES	YES	YES	£600
Regulation 90(8)(b) (failure to comply with an enforcement notice)	YES	YES	YES	£600
Regulation 90(8)(c) (entry and inspection powers; failure to comply)	YES	NO	NO	£300
Regulation 90(8)(d) (obstruction)	YES	NO	NO	£300
Regulation 90(8)(e) (failure to give assistance or information)	YES	NO	NO	£300
Regulation 90(8)(f) (failure to produce information when required)	YES	YES	YES	£300
Regulation 90(8)(g) (false or misleading information)	YES	YES	YES	£1000
Regulation 90(9) (failure to collect or transport waste electrical and electronic equipment in a way that optimises reuse and recycling)	YES	YES	YES	£600
The Ozone-Depleting Substances Regulations 2015				
Regulation 8(1) (qualifications and supervision)	YES	YES	YES	£600
Regulation 8(2) (offences related to training)	YES	YES	YES	£600
Regulation 15(a) (preventing a person from appearing or answering questions)	YES	NO	NO	£300
Regulation 15(b) (obstruction)	YES	NO	NO	£300
Regulation 15(c) (false or misleading information)	YES	YES	YES	£1000
Regulation 15(d) (failure to produce records)	YES	YES	YES	£300