

“Civil sanctions

30A.—(1) This regulation permits Natural England to impose the civil sanctions set out in the Environmental Civil Sanctions Order 2010 in relation to offences under these Regulations.

(2) The terms used in this regulation have the same meaning as in that Order.

(3) Natural England may impose a fixed monetary penalty, variable penalty notice, compliance notice or stop notice, or accept an enforcement undertaking for the offences in the following table as indicated in the table.

Table of civil sanctions

<i>Offence under these Regulations</i>	<i>Fixed monetary penalty</i>	<i>Variable monetary penalty</i>	<i>Restoration notice</i>	<i>Compliance notice</i>	<i>Stop notice</i>	<i>Enforcement undertaking</i>
Regulation 22(1)	Yes	Yes	No	No	No	Yes
Regulation 23(1)	Yes	Yes	No	No	No	Yes
regulation 24(1)	Yes	Yes	No	No	No	Yes
regulation 26(1)	Yes	Yes	No	No	No	Yes
regulation 30(8)	Yes	Yes	No	No	No	No

(4) The provisions in relation to those sanctions (including appeals procedures) are the same as in the 2010 Order.”.

Amendment to the Producer Responsibility Obligations (Packaging Waste) Regulations 2007

3. The Producer Responsibility Obligations (Packaging Waste) Regulations 2007(a) are amended by inserting the following after regulation 40—

“Civil sanctions

40A.—(1) This regulation permits the Agency to impose the civil sanctions set out in the Environmental Civil Sanctions Order 2010 in relation to offences under these Regulations.

(2) The terms used in this regulation have the same meaning as in that Order.

(3) The Environment Agency may impose a fixed monetary penalty or variable penalty notice, or accept an enforcement undertaking for the offences in the following table as indicated in the table.

Table of civil sanctions

<i>Offence under these Regulations</i>	<i>Fixed monetary penalty</i>	<i>Variable monetary penalty</i>	<i>Enforcement undertaking</i>
regulation 40(1)(a)	Yes	Yes	Yes
regulation 40(1)(b)	No	Yes	Yes
regulation 40(1)(c)	Yes	No	No
regulation 40(3)	No	Yes	Yes
regulation 40(7)	No	Yes	No

(a) S. I. 2007/871.

<i>Offence under these Regulations</i>	<i>Fixed monetary penalty</i>	<i>Variable monetary penalty</i>	<i>Enforcement undertaking</i>
regulation 40(8)(a)	No	Yes	Yes
regulation 40(8)(b)	Yes	No	No

(4) The provisions in relation to those sanctions (including appeals procedures) are the same as in the 2010 Order.

(5) This regulation extends to England and Wales.”.

Amendment to the Nitrate Pollution Prevention Regulations 2008

4. The Nitrate Pollution Prevention Regulations 2008(a) are amended by inserting the following after regulation 48—

“Civil sanctions

48A.—(1) This regulation permits the Agency to impose the civil sanctions set out in the Environmental Civil Sanctions Order 2010 in relation to an offence under these Regulations.

(2) The terms used in this regulation have the same meaning as in that Order.

(3) The Environment Agency may impose a fixed monetary penalty, variable penalty notice, compliance notice or stop notice, or accept an enforcement undertaking for any offence in these Regulations.

(4) The provisions in relation to those sanctions (including appeals procedures) are the same as in the 2010 Order.”.

Date

Name
Parliamentary Under Secretary of State
Department for Environment Food and Rural Affairs

Date

Name
One of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

the Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006;
the Producer Responsibility Obligations (Packaging Waste) Regulations 2007;
the Nitrate Pollution Prevention Regulations 2008.

They permit Natural England and the Environment Agency to impose civil sanctions in relation to breaches of those Regulations. The sanctions are those permitted under the Regulatory Enforcement and Sanctions Act 2008.

(a) S. I. 2008/2349

A full impact assessment has been prepared and placed in the libraries of both Houses of Parliament. It is available at www.gov.uk.