
STATUTORY INSTRUMENTS

1978 No. 1049

**Pollution Control and Local Government
(Northern Ireland) Order 1978**

PART II

WASTE ON LAND

Supplemental

Enforcement of Articles 28 and 29

33.—(1) Where an authorised person believes that an offence under Article^{F1}. . . 29 has been committed, he may demand the name and address of any person whom he believes to be guilty of the offence.

(2) An authorised person (other than the owner or occupier of land or a constable in uniform) demanding the name and address of any other person under paragraph (1) shall, if so required, produce his credentials.

(3) If a person whose name and address has been demanded under paragraph (1) fails to comply with the demand, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^{F2} level 2 on the standard scale].

(4) Without prejudice to the right of any other person to institute proceedings for an offence under Article^{F1}. . . 29, a district council may institute proceedings for such an offence committed in its district and a district council or public body may institute proceedings for such an offence committed on land controlled or managed by it.

(5) In this Article—

“authorised person” in relation to an offence believed to have been committed, means—

- (a) an officer of the district council within whose district the^{F1}. . . land is situated, being an officer authorised by the council to exercise functions under this Article;
- (b) an officer of the district council or public body by whom the^{F1}. . . land is controlled or managed, being an officer authorised by the council or body to exercise functions under this Article;
- (c) the owner or occupier of the^{F1}. . . land, or any servant or agent of his duly authorised by him in writing, or
- (d) a constable;

“believes” means believes on reasonable grounds.

F1 1994 NI 10

F2 1984 NI 3

Changes to legislation:

There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 33.