

Changes to legislation: Climate Change Act 2008, Paragraph 25 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 6

CHARGES FOR [F1SINGLE USE CARRIER BAGS][F1CARRIER BAGS]

Textual Amendments

- F1** Words in Sch. 6 para. 2 substituted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014 \(c. 7\), s. 1\(b\)](#)

PART 2

CIVIL SANCTIONS

Suspension

- 25 (1) Where provision has been made by a relevant national authority conferring power on an administrator to impose a civil sanction in relation to a breach of regulations under this Schedule, the authority may direct the administrator—
- (a) where the power is power to impose a fixed monetary penalty, not to serve any further notice of intent referred to in paragraph 11(1)(a) in relation to a breach of that kind, and
 - (b) where the power is power to impose a discretionary requirement, not to serve any further notice of intent referred to in paragraph 13(1)(a) in relation to a breach of that kind.
- (2) The relevant national authority may only give a direction under sub-paragraph (1) in relation to a breach of regulations under this Schedule if it is satisfied that the administrator has failed on more than one occasion—
- (a) to comply with any duty imposed on it under or by virtue of this Schedule in relation to a breach of that kind,
 - (b) to act in accordance with the guidance it has published in relation to a breach of that kind (in particular, the guidance published under paragraph 21), or
 - (c) to act in accordance with the principles referred to in paragraph 23 or with other principles of best practice in relation to the enforcement of a breach of that kind.
- (3) The relevant national authority may by direction revoke a direction given by it under sub-paragraph (1) if satisfied that the administrator has taken the appropriate steps to remedy the failure to which that direction related.
- (4) Before giving a direction under sub-paragraph (1) or (3) the relevant national authority must consult—
- (a) the administrator, and
 - (b) such other persons as the authority considers appropriate.

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- (5) Where the relevant national authority gives a direction under this section, the authority must lay a copy before—
- (a) Parliament (where the relevant national authority is the Secretary of State);
 - (b) the National Assembly for Wales (where the relevant national authority is the Welsh Ministers);
 - (c) the Northern Ireland Assembly (where the relevant national authority is the Department of the Environment in Northern Ireland).
- (6) Where the relevant national authority gives a direction under this^[F1] section^[F1] paragraph], the administrator must—
- (a) publish the direction in such manner as the authority thinks fit, and
 - (b) take such other steps as the administrator thinks fit or the authority may require to bring the direction to the attention of other persons likely to be affected by it.

Textual Amendments

F1 Word in Sch. 6 para. 25(6) substituted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014](#) (c. 7), s. 8(3)

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 6 para. 25(5)(b) omitted by [2016 anaw 3 Sch. 2 para. 12\(4\)\(e\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 86(1)(a) words renumbered as s. 86(1)(a) by [2016 c. 22 s. 211\(2\)\(a\)](#)
- s. 86(1)(b) and word inserted by [2016 c. 22 s. 211\(2\)\(b\)](#)
- s. 86(7A)(7B) inserted by [2016 c. 22 s. 211\(5\)](#)