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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations enforce Regulation (EC) No. 850/2004 of the European Parliament and of the Council on persistent organic pollutants and amending Directive 79/117/EEC (OJNo. L158. 30.4.2004, p. 7. A corrected version of this Regulation was published in OJ No. L 229, 29.6.2004, p. 5).

They designate competent authorities and enforcement authorities (regulation 3) and specify who carries out the duties of the member State (regulation 4).

They enforce provisions relating to production, placing on the market and use of specified substances (regulation 5), stockpiles of specified substances (regulation 6) and waste management (regulation 7).

They provide for applications for a derogation to use different methods of disposal of waste (regulation 8).

They make provision for fees (regulation 9).

Under regulation 11 a person guilty of an offence under these Regulations is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or both, or
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

An impact assessment has been prepared and placed in the library of each House of Parliament. It is available on the Defra website.