SCHEDULE 6

Powers of enforcement

PART 4

The Secretary of State

SECTION 2

Notices

2. An authorised person may serve on a person a notice in writing ("an enforcement notice") if the authorised person is of the opinion that the person has contravened, is contravening or is likely to contravene a listed REACH provision.

3. An enforcement notice must—

(a) state that the authorised person is of the opinion referred to in the preceding paragraph;

(b) specify the matters that constitute, constituted or, as the case may be, are likely to constitute the contravention;

(c) specify the steps that must be taken to remedy or, as the case may be, prevent the contravention; and

(d) specify the period within which those steps must be taken.

4. The steps mentioned in paragraph 3(c) include steps that must be taken to remedy any pollution caused by the contravention.

5. Where a person to whom an enforcement notice is addressed has failed to take the action required by it within such time as may be specified by it and such a notice has not been revoked, the Secretary of State may undertake any action so required and the reasonable costs and expenses of the Secretary of State's so doing are recoverable as a debt from that person.

6. A person to whom an enforcement notice is addressed must afford such assistance as the Secretary of State may reasonably require for the purpose of facilitating the exercise of any powers conferred on the Secretary of State by paragraph 5.

7. An authorised person may revoke an enforcement notice.

8. An authorised person may serve on a person a notice in writing ("a prohibition notice") if the authorised person is of the opinion that where the person has contravened, is contravening or is likely to contravene a listed REACH provision, that contravention involves an imminent risk of pollution.

9. A prohibition notice must—

(a) state that the authorised person is of the opinion referred to in the preceding paragraph;

(b) specify the risk involved;

(c) specify the steps that must be taken to remove it and the period within which they must be taken.

10. An authorised person may by notice withdraw a prohibition notice wholly or in part at any time and must withdraw a notice when the authorised person is satisfied that the steps required by the notice have been taken.

11. It is the duty of the person to whom the prohibition notice is addressed to comply with its terms save to the extent that it is withdrawn wholly or in part.