
STATUTORY INSTRUMENTS

2012 No. 630

The Environmental Permitting (England
and Wales) (Amendment) Regulations 2012

PART 2

Amendments to the principal Regulations

New Chapter 1A in Part 7 (death of sole operator)

9. After regulation 67 of the principal Regulations insert—

“Chapter 1A

Further provision – death of sole operator

Death of sole operator

67A.—(1) This regulation applies if—

- (a) an environmental permit authorising the operation of a regulated facility is held by one individual (“A”); and
- (b) A dies.

(2) On the death of A, the environmental permit—

- (a) forms part of A’s personal estate;
- (b) vests in A’s personal representatives;
- (c) continues to have effect subject to the conditions that applied at the time of A’s death; and
- (d) must be read as if it contained the following condition—

“As soon as is practicable after the death of the operator, the personal representatives of the operator must notify the regulator that the environmental permit has vested in them.”.

(3) The environmental permit ceases to have effect 6 months after the day on which A dies, unless, by that time—

- (a) the permit has been transferred under regulation 21; or
- (b) the regulator has received from A’s personal representatives a duly-made application under regulation 21(1) for the transfer of the permit, and the application has not been withdrawn or finally determined.

(4) If paragraph (3)(b) applies, the environmental permit continues in effect until the application—

- (a) is withdrawn; or
- (b) on determination, is refused.”.