
STATUTORY INSTRUMENTS

2015 No. 810

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015

PART 4

Administration, Enforcement and Review

Powers of authorised persons

31.—(1) Enforcing authorities may authorise persons for the purposes of enforcing these Regulations.

(2) The powers in section 108 of the Environment Act 1995 ^{M1} apply in relation to these Regulations, and the powers of persons authorised by the Environment Agency in that section are exercisable by persons authorised by any enforcing authority.

(3) Those powers are extended to all areas to which these Regulations apply.

(4) In addition, a person authorised by the Secretary of State enforcing these Regulations in relation to the sea may at any time board and inspect—

- (a) a ship or marine installation in the United Kingdom territorial waters adjacent to England; or
- (b) a United Kingdom ship (within the meaning of section 1(3) of the Merchant Shipping Act 1995 ^{M2}) or a marine installation in the renewable energy zone (as defined in section 84 of the Energy Act 2004 ^{M3}).

(5) For the purposes of exercising the powers in this regulation, the authorised person may require a ship or marine installation—

- (a) to stop; or
- (b) to do anything else that will facilitate the boarding of that or any other ship or marine installation.

(6) An authorised person who has boarded a ship or marine installation may, for the purposes of disembarking from the ship or installation, require that or any other ship or marine installation—

- (a) to stop; or
- (b) to do anything else that will enable the authorised person, and any person accompanying that person, to disembark.

(7) An authorised person may require any person on board a vessel or marine installation to afford such facilities and assistance with respect to matters under that person's control as the authorised person considers would facilitate the exercise of any power conferred by this regulation.

(8) It is an offence to fail to comply with instructions given under this regulation, or knowingly to provide false or misleading information.

Changes to legislation: There are currently no known outstanding effects for the *The Environmental Damage (Prevention and Remediation) (England) Regulations 2015, Section 31*. (See end of Document for details)

Marginal Citations

- M1** 1995 c.25. Section 108 was amended by Schedule 3 to the [Pollution Prevention and Control Act 1999 \(c.24\)](#); S.I. 2000/1973; [section 55\(6\) to \(9\) of the Anti-social Behaviour Act 2003 \(c.38\)](#); S.I. 2010/675; [paragraph 3 of Part 1 of Schedule 2 to the Protection of Freedoms Act 2012 \(c.9\)](#); and S.I. 2013/755. There are other amendments which are not relevant to these Regulations.
- M2** 1995 c.21.
- M3** 2004 c.20. Section 84 was amended by paragraph 4 of Part 1 of Schedule 4 to the [Marine and Coastal Access Act 2009 \(c.23\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Damage (Prevention and Remediation) (England) Regulations 2015, Section 31.