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WELSH STATUTORY INSTRUMENTS

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**2007 No. 739**

**The Environmental Offences (Fixed Penalties)  
(Miscellaneous Provisions) (Wales) Regulations 2007**

**Lesser amounts of fixed penalties**

**3.—(1) Where—**

- (a) a litter authority in Wales acting under section 88(7) of the Environmental Protection Act 1990<sup>(1)</sup>;
- (b) a principal litter authority in Wales acting under paragraph 7(5) of Schedule 3A to the Environmental Protection Act 1990;
- (c) a local authority in Wales acting under section 43A(3) of the Anti-social Behaviour Act 2003;
- (d) a primary authority or a secondary authority in Wales acting under section 60(3) of the Clean Neighbourhoods Act 2005;
- (e) a local authority in Wales acting under section 74(3) of the Clean Neighbourhoods and Environment Act 2005,

makes provision for treating a fixed penalty as having been paid if a lesser amount is paid before the end of a period specified by that authority, such lesser amount must not be less than £50.

**(2) Where—**

- (a) a waste collection authority in Wales acting under section 47ZB(3) of the Environmental Protection Act 1990;
- (b) a principal litter authority in Wales acting under section 94A(5) of the Environmental Protection Act 1990;
- (c) a local authority in Wales acting under section 8A(3) of the Noise Act 1996;
- (d) a local authority acting under section 6(10) of the Clean Neighbourhoods and Environment Act 2005,

makes provision for treating a fixed penalty as having been paid if a lesser amount is paid before the end of a period specified by that authority, such lesser amount must not be less than £60.

(3) Where a local authority acting under section 2A(10) of the Refuse Disposal (Amenity) Act 1978<sup>(2)</sup> makes provision for treating a fixed penalty as having been paid if a lesser amount is paid before the end of a period specified by that authority, such lesser amount must not be less than £120.

**(4) Where—**

- (a) a regulation authority acting under section 5B(11) of the Control of Pollution (Amendment) Act 1989<sup>(3)</sup>;

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(1) 1990 c. 43; section 88(7) was inserted by section 19(2) of the Clean Neighbourhoods and Environment Act 2005.

(2) 1978 c. 3; section 2A was inserted by section 10 of the Clean Neighbourhoods and Environment Act 2005.

(3) 1989 c. 14; section 5B was inserted by section 38 of the Clean Neighbourhoods and Environment Act 2005.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(b) an enforcement authority acting under section 34A(11) of the Environmental Protection Act 1990<sup>(4)</sup>,  
makes provision for treating a fixed penalty as having been paid if a lesser amount is paid before the end of a period specified by that authority, such lesser amount must not be less than £180.

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<sup>(4)</sup> 1990 c. 43; section 34A was inserted by section 45 of the Clean Neighbourhoods and Environment Act 2005.