

*These notes refer to the Clean Neighbourhoods and Environment Act
(Northern Ireland) 2011 (c.23) which received Royal Assent on 4 May 2011*

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Litter

Section 14 – Offence of dropping litter in lake, pond or watercourse

This section amends the offence of dropping litter in the Litter (Northern Ireland) Order 1994 (the Litter Order) in relation to a lake, pond or watercourse. Article 3 of the Litter Order describes what constitutes the offence of leaving litter and under what circumstances leaving litter is not an offence. Article 3(2) of the Litter Order provides that it shall be a defence for a person charged with an offence of leaving litter to prove that the disposal was authorised by law or done with the consent of the owner or other person or authority having control over the place in which the item of litter was deposited. This section inserts a new paragraph (2A) into Article 3 to provide that consent may only be given in relation to a lake, pond or watercourse if the same person owns all the surrounding land.