

These notes refer to the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011 (c.5) which received Royal Assent on 10 February 2011

Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Waste

Section 1 – Fixed penalty notices for offences under Article 4

This section deals with offences relating to unauthorised or harmful deposit, treatment or disposal etc of waste – as provided for under Article 4 of the 1997 Order. It enables the Department or relevant district council to issue a notice to a perceived offender, offering him the opportunity to pay a fixed penalty as an alternative to court action.

The powers are intended to be used for less serious waste offences. However they are discretionary; the Department or district councils can choose instead to prosecute any offences under Article 4 through the courts.

District councils will be able to use any funds raised through these fixed penalties to cover the costs of enforcement and clean up of illegally deposited waste.