

WASTE (AMENDMENT) (NORTHERN IRELAND) ORDER 2007

S.I. 2007 No. 611 (N.I. 3)

EXPLANATORY MEMORANDUM

ENFORCEMENT

Article 18 – Powers of enforcing authorities

Article 18 makes a number of amendments to simplify the exercise of the Department's powers of entry under Article 72 of the 1997 Order. In particular, it:

- (i) reduces the period of notice that must be given prior to exercising the power of entry from 7 days to 24 hours;
- (ii) removes the requirement for an authorised person to be accompanied only by any other duly authorised person;
- (iii) increases the scope of articles or substances that can be taken and detained.

The Article also increases from 6 months to 12 months the period of time within which the Department can take a prosecution in a Magistrate's Court with respect to offences under Articles 74(2) or (3) of the 1997 Order.

Article 19 – Power to stop vehicles

Article 19 inserts a new Article 73A into the 1997 Order which gives an authorised officer of the Department a new power to require any person driving a vehicle on a road or other public place to stop. Any person who fails to stop when so required is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).