



Environment Act 2021

2021 CHAPTER 30

PART 1

ENVIRONMENTAL GOVERNANCE

CHAPTER 2

THE OFFICE FOR ENVIRONMENTAL PROTECTION

The OEP's enforcement functions

31 Failure of public authorities to comply with environmental law

- (1) Sections 32 to 41 make provision about functions of the OEP in relation to failures by public authorities to comply with environmental law.
- (2) For the purposes of those sections, a reference to a public authority failing to comply with environmental law means the following conduct by that authority—
 - (a) unlawfully failing to take proper account of environmental law when exercising its functions;
 - (b) unlawfully exercising, or failing to exercise, any function it has under environmental law.
- (3) In this Part “public authority” means a person carrying out any function of a public nature that is not a devolved function, a parliamentary function or a function of any of the following persons—
 - (a) the OEP;
 - (b) a court or tribunal;
 - (c) either House of Parliament;
 - (d) a devolved legislature;
 - (e) the Scottish Ministers, the Welsh Ministers, a Northern Ireland department or a Minister within the meaning of the Northern Ireland Act 1998.

Changes to legislation: There are currently no known outstanding effects
for the Environment Act 2021, Section 31. (See end of Document for details)

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Commencement Information

- I1** S. 31 not in force at Royal Assent, see [s. 147\(3\)](#)
- I2** [S. 31](#) in force at 24.1.2022 by [S.I. 2022/48](#), [reg. 2\(g\)](#)

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