



Environment Act 2021

2021 CHAPTER 30

PART 1

ENVIRONMENTAL GOVERNANCE

CHAPTER 2

THE OFFICE FOR ENVIRONMENTAL PROTECTION

The OEP's enforcement functions

34 Duty to keep complainants informed

- (1) Where a person makes a complaint to the OEP alleging that a public authority has failed to comply with environmental law, the OEP must keep the complainant informed about its handling of the complaint.
- (2) In particular, the OEP must—
 - (a) notify the complainant if it does not intend to consider the complaint because the complaint was not made in accordance with section 32;
 - (b) notify the complainant if it has concluded that it will not be commencing an investigation under section 33 in relation to the complaint;
 - (c) notify the complainant if it commences an investigation under section 33 in relation to the complaint;
 - (d) if such an investigation is commenced, notify the complainant—
 - (i) where it provides a report under section 33(5) to the public authority that is the subject of the investigation, that it has provided it;
 - (ii) where it applies for an environmental review (see section 38), for permission to apply for judicial review or for statutory review (see section 39), in relation to the alleged failure to comply with environmental law that is the subject of the investigation, that it has made such an application;

Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Section 34. (See end of Document for details)

- (e) provide the complainant with a copy of any document published under section 33(9) in relation to any investigation in relation to the complaint.

Commencement Information

- I1** S. 34 not in force at Royal Assent, see [s. 147\(3\)](#)
I2 [S. 34](#) in force at 24.1.2022 by [S.I. 2022/48](#), [reg. 2\(g\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Environment Act 2021, Section 34.