
STATUTORY INSTRUMENTS

2007 No. 3538

The Environmental Permitting
(England and Wales) Regulations 2007

PART 4

Enforcement and offences

Penalties

- 39.**—(1) A person guilty of an offence under regulation 38(1)(a), (b) or (c) is liable—
- (a) on summary conviction to a fine not exceeding £50,000 or imprisonment for a term not exceeding 12 months, or to both; or
 - (b) on conviction on indictment to a fine or imprisonment for a term not exceeding 5 years, or to both.
- (2) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003⁽¹⁾, paragraph (1)(a) has effect as if—
- (a) for “£50,000” there were substituted “£20,000”; and
 - (b) for “12 months” there were substituted “6 months”.
- (3) A person guilty of an offence under regulation 38(1)(d), (e), (f) or (g) is liable—
- (a) on summary conviction to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment to a fine or imprisonment for a term not exceeding 2 years, or to both.
- (4) An establishment or undertaking guilty of an offence under regulation 38(2) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.