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STATUTORY INSTRUMENTS

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**2008 No. 2349**

**The Nitrate Pollution Prevention Regulations 2008**

**PART 10**

**Enforcement**

**Offences and penalties**

**48.**—(1) Any person who breaches any provision of these Regulations is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum, or
- (b) on conviction on indictment, to a fine.

(2) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar person of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

that person, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(3) For the purposes of this regulation, “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

**Enforcement**

**49.** These Regulations are enforced by the Environment Agency.

**Revocations**

**50.** The following are revoked in so far as they apply in England—

- (a) the Nitrate Sensitive Areas Regulations 1994(1);
- (b) the Nitrate Sensitive Areas (Amendment) Regulations 1995(2);
- (c) the Nitrate Sensitive Areas (Amendment) (No. 2) Regulations 1995(3);
- (d) the Protection of Water Against Agricultural Nitrate Pollution (England and Wales) Regulations 1996(4);
- (e) the Nitrate Sensitive Areas (Amendment) Regulations 1996(5);

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(1) [S. I. 1994/1729](#).  
(2) [S. I. 1995/1708](#).  
(3) [S. I. 1995/2095](#).  
(4) [S. I. 1996/888](#).  
(5) [S. I. 1996/3105](#).

- (f) the Nitrate Sensitive Areas (Amendment) Regulations 1997**(6)**;
- (g) the Nitrate Sensitive Areas (Amendment) Regulations 1998 **(7)**;
- (h) the Action Programme for Nitrate Vulnerable Zones (England and Wales) Regulations 1998**(8)**;
- (i) the Nitrate Sensitive Areas (Amendment) (No. 2) Regulations 1998**(9)**;
- (j) the Nitrate Sensitive Areas (Amendment) Regulations 2002**(10)**;
- (k) the Nitrate Vulnerable Zones (Additional Designations) (England) (No 2) Regulations 2002**(11)**;
- (l) the Farm Waste Grant (Nitrate Vulnerable Zones) (England) Scheme 2003**(12)**; and
- (m) the Protection of Water Against Agricultural Nitrate Pollution (England and Wales) (Amendment) Regulations 2006**(13)**.

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**(6)** S. I. 1997/990.  
**(7)** S. I. 1998/79.  
**(8)** S. I. 1998/1202.  
**(9)** S. I. 1998/2138.  
**(10)** S. I. 2002/744.  
**(11)** S. I. 2002/2614.  
**(12)** S. I. 2003/562.  
**(13)** S. I. 2006/1289.