
STATUTORY INSTRUMENTS

2010 No. 1159

The Environmental Civil Sanctions (Miscellaneous Amendments) (England) Regulations 2010

Amendment to the Hazardous Waste (England and Wales) Regulations 2005

6. The Hazardous Waste (England and Wales) Regulations 2005(1) are amended by inserting the following after regulation 65—

“Civil sanctions

65A.—(1) The Environment Agency may impose a variable monetary penalty, restoration notice, compliance notice or stop notice, or accept an enforcement undertaking, in relation to an offence under regulation 68 or under regulation 65 for a failure to comply with a provision in the following Table of civil sanctions, as indicated in that Table, as if it were an offence under a provision specified in relation to that sanction in Schedule 5 to the Environmental Civil Sanctions (England) Order 2010.

Table of civil sanctions

| <i>Offence under these Regulations</i> | <i>Variable monetary penalty</i> | <i>Restoration notice</i> | <i>Compliance notice</i> | <i>Stop notice</i> | <i>Enforcement undertaking</i> |
|--|----------------------------------|---------------------------|--------------------------|--------------------|--------------------------------|
| regulation 19 | Yes | Yes | Yes | Yes | Yes |
| regulation 20 | Yes | Yes | Yes | Yes | Yes |
| regulation 22 | Yes | No | No | No | Yes |
| regulation 34 | Yes | No | Yes | No | Yes |
| regulations 35 to 44 | Yes | No | Yes | No | Yes |
| regulation 46 and Schedule 7 | Yes | No | Yes | No | Yes |
| regulation 47 | Yes | No | Yes | No | Yes |
| regulation 48 | Yes | No | Yes | No | Yes |
| regulation 49 | Yes | No | Yes | No | Yes |
| regulation 50 | Yes | No | Yes | No | Yes |
| regulation 51 | Yes | No | Yes | No | Yes |
| regulation 53 | Yes | No | No | No | Yes |
| regulation 54 | Yes | No | No | No | Yes |

(1) S. I. 2005/894; relevant amending instruments are S. I. 2007/3476, S. I. 2007/3538 and S. I. 2009/507.

| <i>Offence under these Regulations</i> | <i>Variable monetary penalty</i> | <i>Restoration notice</i> | <i>Compliance notice</i> | <i>Stop notice</i> | <i>Enforcement undertaking</i> |
|--|----------------------------------|---------------------------|--------------------------|--------------------|--------------------------------|
| regulation 55 | Yes | No | No | No | No |
| regulation 62 | Yes | Yes | Yes | Yes | No |
| regulation 68 | Yes | No | No | No | No |

(2) The terms used in this regulation have the same meaning as in that Order.

(3) The provisions of that Order in relation to those sanctions apply as if they were provisions of these Regulations.

(4) This regulation applies only in England.”.