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STATUTORY INSTRUMENTS

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**2015 No. 168**

**The Ozone-Depleting Substances Regulations 2015**

**PART 3**

Offences, penalties and enforcement

**Enforcement notices**

**16.**—(1) An enforcement notice is a notice requiring a person to take specified steps to remedy or avert a contravention.

(2) An authorised person who is of the opinion that a person has contravened, is contravening or is likely to contravene a provision of the EU Regulation may serve an enforcement notice on that person.

(3) An enforcement notice must—

- (a) state that the authorised person is of that opinion;
- (b) specify the matters constituting the contravention or the matters making it likely that the contravention will arise, as the case may be;
- (c) specify the steps that must be taken to remedy or avert the contravention;
- (d) specify the period within which those steps must be taken;
- (e) state—
  - (i) that the person on whom the notice is served has the right of appeal to a magistrates' court or the sheriff; and
  - (ii) the period within which the appeal may be brought.

(4) An authorised person may at any time withdraw an enforcement notice.

(5) A person on whom an enforcement notice is served must comply with it at their own expense.

(6) If an enforcement notice is not complied with, the enforcement authority may arrange for it to be complied with at the expense of the person on whom it was served.

**Changes to legislation:**

There are currently no known outstanding effects for the The Ozone-Depleting Substances Regulations 2015, Section 16.