



# Waste (Wales) Measure 2010

**2010 nawm 8**

## *Landfill*

### **10 Civil sanctions in respect of the deposit of waste in a landfill**

- (1) This section applies where the power to make regulations in section 9(1) has been or is being exercised so as to create an offence.
- (2) Regulations under section 9(1) may make provision, in relation to an enforcement authority, which could be made by an order under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (“RESA 2008”) as if, for the purposes of Part 3 of that Act—
  - (a) the enforcement authority were a regulator, and
  - (b) the offence were a relevant offence in relation to that regulator.
- (3) But in their application to offences created by regulations under section 9(1)—
  - (a) sections 39(4) and 42(6) of RESA 2008 do not apply, and
  - (b) section 49(1) is modified so that the reference to “£20,000” is to be read as a reference to “level 5 on the standard scale”.
- (4) Sections 63 to 69 of RESA 2008 apply to provision made under or by virtue of regulations under subsection (2) as they apply to provision made under or by virtue of Part 3 of RESA 2008.
- (5) For the purposes of subsection (4), the references to a “regulator” in sections 63 to 69 of RESA 2008 are to be read as references to an enforcement authority.
- (6) In this section, “enforcement authority” means a person who has an enforcement function in relation to an offence created by regulations under section 9(1).