

WASTE (AMENDMENT) (NORTHERN IRELAND) ORDER 2007

S.I. 2007 No. 611 (N.I. 3)

EXPLANATORY MEMORANDUM

OFFENCES RELATING TO DEPOSIT, DISPOSAL ETC. OF WASTE

Article 4 – Penalties on conviction

This Article amends the penalties on conviction of an offence under Article 4 of the 1997 Order. It increases the maximum available fine on summary conviction from £20,000 to £50,000 and raises the maximum term of imprisonment (on conviction on indictment) for non hazardous waste offences from 2 years to 5 years. It also requires a court, in determining the fine for specific offences under Article 4 of the 1997 Order, to take account of any financial benefit that an offender has accrued, or is likely to accrue, as a consequence of the offence. These changes effectively remove the distinction between hazardous and non-hazardous waste for offences under Article 4 of the 1997 Order.