

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 8 – Forfeiture of vehicles

This Article inserts a new Article 5D into the 1997 Order. Article 5D applies where a person has been convicted of an offence involving a contravention of Articles 4 or 5 of the 1997 Order consisting of the deposit or disposal of controlled waste. It enables the court to make an order depriving the offender of his rights to a vehicle (and its contents) and vesting those rights in the Department. The court must be satisfied that the vehicle was used in connection with the offence, and the Article specifies a number of factors which must be considered in deciding whether to make such an order.