

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2022 No. 302**

**ENVIRONMENTAL PROTECTION**

**The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) (Amendment) Regulations (Northern Ireland) 2022**

*Made* - - - - *6th December 2022*

*Coming into operation* *30th December 2022*

The Department of Agriculture, Environment and Rural Affairs, makes these Regulations in exercise of the powers conferred by Article 18A(1) of the Litter (Northern Ireland) Order 1994<sup>(1)</sup> and section 44(4) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011<sup>(2)</sup> and now exercisable by it<sup>(3)</sup>.

**Citation and commencement**

1. These regulations may be cited as the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) (Amendment) Regulations (Northern Ireland) 2022 and come into operation on 30th December 2022.

**Amendment to the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2012**

2. The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2012<sup>(4)</sup> are amended in accordance with regulations 3 and 4.

**Amendment of regulation 2 (Interpretation)**

3. In regulation 2 after the definition of “the 2011 Act” insert ““the 2012 Regulations” means the Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations (Northern Ireland) 2012”<sup>(5)</sup>.

---

(1) [S.I. 1994/1896 \(N.I.10\)](#); Article 18A was inserted by section 22 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 ([2011 c. 23 \(N.I.\)](#))  
(2) [2011 c. 23 \(N.I.\)](#)  
(3) [S.R.2016 No.76](#); see Article 8(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016  
(4) [S.R.2012 No. 35](#)  
(5) [S.R.2012 No. 114](#)

**Amendment of regulation 3 (Prescribed range of fixed penalties)**

- 4.—(1) In paragraph (1)(a) omit “Article 6(6A)(a) of, and”.
- (2) In paragraph (1)(b) omit “, 44(1)”.
- (3) After paragraph (1)(b) insert—
  - “(c) section 44(1)(a) of the 2011 Act insofar as it relates to an offence under a Dog Control Order set out in Schedules 2 to 5 to the “2012 Regulations,”.
- (4) After paragraph (1) insert—
  - “(1A) The amount of a fixed penalty capable of being specified by a district council for a fixed penalty under—
    - (a) Article 6(6A)(a) of the Litter Order;
    - (b) section 44(1)(a) of the 2011 Act insofar as it relates to an offence under a Dog Control Order set out in Schedule 1 to the 2012 Regulations,shall be not less than £50 and not more than £200.”.
- (5) In regulation 3(3) after “paragraph (1)” insert “, paragraph (1A)”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 6<sup>th</sup> December 2022.



*Dave Foster*  
A senior officer of the  
Department of Agriculture, Environment and  
Rural Affairs

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2012 (“the principal Regulations”).

Regulation 3 of the principal Regulations prescribe the ranges within which the amounts of certain fixed penalties that are capable of being specified by a district council are required to fall.

Regulation 3 of these Regulations inserts a definition of the Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations (Northern Ireland) 2012 into the principal Regulations.

Regulation 4 of these Regulations amends the principal Regulations to increase the range within which a district council may specify its own penalty amount under Article 6(6A)(a) of the Litter (Northern Ireland) Order 1994 for the offence of littering from between £50 and £80 to between £50 and £200.

Regulation 4 of these Regulations also amends the principal Regulations to increase the range within which a district council may specify its own penalty amount under section 44(1)(a) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 for the offence of contravention of a dog control order relating to dog fouling from between £50 and £80 to between £50 and £200.

An impact assessment on the effect of these Regulations has not been prepared as they have no impact on the cost to business.