
DRAFT STATUTORY INSTRUMENTS

2007 No.

The Environmental Permitting
(England and Wales) Regulations 2007

PART 5

Public Registers

Duty of the regulator to maintain a public register

46.—(1) Subject to regulations 47 and 48, the regulator must maintain a register containing the information in paragraph 1 of Schedule 19 (in these Regulations, a “public register”).

(2) But, nothing in paragraph (1) requires a public register to contain information relating to criminal proceedings, or anything which is the subject matter of criminal proceedings, before those proceedings are finally disposed of.

(3) In paragraph (2) “criminal proceedings” includes prospective criminal proceedings.

(4) A local authority must also include on its public register any information which is included on the Agency’s public register in respect of a regulated facility (other than mobile plant)—

- (a) for which the Agency is the regulator; and
- (b) which is in the area of the authority.

(5) But—

- (a) paragraph (4) does not apply to a port health authority; and
- (b) every local authority whose area adjoins that of a port health authority must comply with paragraph (4) as if the port health authority had not been constituted.

(6) The Agency must provide the local authority with the information necessary to comply with paragraph (4).

(7) The regulator must enter information on its public register as soon as reasonably practicable after it comes within the regulator’s possession.

(8) The regulator must—

- (a) make its public register available for public inspection at all reasonable times, free of charge; and
- (b) enable members of the public to obtain copies of entries on its public register on payment of a reasonable charge.

(9) A public register may be kept in any form.