

DRAFT STATUTORY INSTRUMENTS

2010 No.

The Environmental Civil Sanctions (Miscellaneous
Amendments) (England) Regulations 2010

Amendment to the Producer Responsibility Obligations (Packaging Waste) Regulations 2007

8. The Producer Responsibility Obligations (Packaging Waste) Regulations 2007⁽¹⁾ are amended by inserting the following after regulation 40—

“Civil sanctions

40A.—(1) The Environment Agency may impose a fixed monetary penalty or variable monetary penalty, or accept an enforcement undertaking, in relation to an offence specified in the following Table of civil sanctions, as indicated in that Table, as if it were an offence under a provision specified in relation to that sanction in Schedule 5 to the Environmental Civil Sanctions (England) Order 2010.

Table of civil sanctions

<i>Offence under these Regulations</i>	<i>Fixed monetary penalty</i>	<i>Variable monetary penalty</i>	<i>Enforcement undertaking</i>
regulation 40(1)(a)	Yes	Yes	Yes
regulation 40(1)(b)	No	Yes	Yes
regulation 40(1)(c)	Yes	No	No
regulation 40(3)	No	Yes	Yes
regulation 40(7)	No	Yes	No
regulation 40(8)(a)	No	Yes	Yes
regulation 40(8)(b)	Yes	No	No

(2) The terms used in this regulation have the same meaning as in that Order.

(3) The provisions of that Order in relation to those sanctions apply as if they were provisions of those Regulations.

(4) This regulation applies only in England.”.

⁽¹⁾ S. I. 2007/871 to which there are amendments not relevant to these Regulations.