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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

**The Emissions Performance Standard Regulations 2015**

**PART 3**

**Monitoring and Enforcement in England**

**Enforcement by the High Court**

**19.**—(1) If an operator fails to comply with a relevant obligation, the High Court may, on an application by the Environment Agency, make an order requiring the operator to comply with the relevant obligation.

(2) The Environment Agency may not apply to the High Court for an order under paragraph (1) if—

- (a) the time for an appeal relating to the relevant obligation has not elapsed; or
- (b) any appeal relating to the relevant obligation has not been determined.

(3) In paragraph (1), “a relevant obligation” means any obligation included in—

- (a) an information notice;
- (b) an enforcement notice; or
- (c) a civil penalty notice.