



# Environment Act 1995

## 1995 CHAPTER 25

### PART V

#### MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

##### *Waste*

#### **95 Producer responsibility: offences.**

- [<sup>F1</sup>(1) Regulations may make provision for a person who contravenes a prescribed requirement of the regulations to be guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to a fine.
- (2) Where an offence under any provision of the regulations committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (3) Where the affairs of a body corporate are managed by its members, subsection (2) above shall apply in relation to the acts or defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (4) Where the commission by any person of an offence under the regulations is due to the act or default of some other person, that other person may be charged with and convicted of the offence by virtue of this section whether or not proceedings for the offence are taken against the first-mentioned person.
- (5) Expressions used in this section and in section 93 or 94 above have the same meaning in this section as they have in that section.]

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*Status: Point in time view as at 28/04/2022. This version of this provision has been superseded.*

*Changes to legislation: Environment Act 1995, Section 95 is up to date with all changes known to be in force on or before 12 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### **Textual Amendments**

- F1** Ss. 93-95 repealed (24.1.2022 for E., 7.3.2022 for W.) by [Environment Act 2021 \(c. 30\)](#), [ss. 50\(6\)\(a\)](#), [147\(3\)\(6\)](#) (with s. 144); S.I. 2022/48, [reg. 2\(i\)](#) (with [reg. 6](#)); S.I. 2022/223, [regs. 1\(2\)](#), [2\(a\)](#)

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