
Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Paragraph 10. (See end of Document for details)

SCHEDULES

SCHEDULE 1 U.K.

THE OFFICE FOR ENVIRONMENTAL PROTECTION

Delegation to members, committees and employees

- 10 (1) The OEP may delegate any of its functions (other than a function mentioned in sub-paragraph (4)) to—
- (a) a member of the OEP,
 - (b) any of the OEP's employees authorised for that purpose, or
 - (c) a committee of the OEP.
- (2) The OEP must prepare a document that sets out its policy on how its functions may be appropriately delegated (a “delegation policy”).
- (3) A function is delegated under this paragraph to the extent, and on the terms, that the OEP determines in accordance with its delegation policy.
- (4) The OEP may not delegate the following functions—
- (a) approving the strategy under section 23(3) (or a revision of it);
 - (b) approving a report under section 28 or 29 ^[F1], or a report under paragraph 1 or 2 of Schedule 3 (functions of the OEP in Northern Ireland);
 - (c) approving written advice to a Minister of the Crown under section 30(1) or (3) ^[F2], or written advice to a Northern Ireland department under paragraph 3(1) or (3) of Schedule 3];
 - (d) deciding whether to give an information notice ^[F3] or a Northern Ireland information notice];
 - (e) deciding whether to give a decision notice ^[F4] or a Northern Ireland decision notice];
 - (f) deciding whether to apply for an environmental review (see section 38);
 - (g) deciding whether to apply for judicial review or a statutory review, or to intervene in proceedings that relate to a judicial review or a statutory review (see section 39);
 - ^[F5](ga) deciding whether to make a review application (see paragraph 12 of Schedule 3) or an application for judicial review by virtue of paragraph 13(1) of that Schedule or to intervene in proceedings that relate to a judicial review (see paragraph 13 of that Schedule);]
 - (h) approving a delegation policy under sub-paragraph (2);
 - (i) approving a report on the exercise of the OEP's functions under paragraph 13(1) or a statement of accounts under paragraph 14(2).

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Textual Amendments

- F1** Words in Sch. 1 para. 10(4)(b) inserted (28.2.2022) by Environment Act 2021 (c. 30), s. 147(6)(7), **Sch. 3 para. 29(6)(a)** (with s. 144); S.R. 2022/54, art. 2(1)(a)
- F2** Words in Sch. 1 para. 10(4)(c) inserted (28.2.2022) by Environment Act 2021 (c. 30), s. 147(6)(7), **Sch. 3 para. 29(6)(b)** (with s. 144); S.R. 2022/54, art. 2(1)(a)
- F3** Words in Sch. 1 para. 10(4)(d) inserted (28.2.2022) by Environment Act 2021 (c. 30), s. 147(6)(7), **Sch. 3 para. 29(6)(c)** (with s. 144); S.R. 2022/54, art. 2(1)(a)
- F4** Words in Sch. 1 para. 10(4)(e) inserted (28.2.2022) by Environment Act 2021 (c. 30), s. 147(6)(7), **Sch. 3 para. 29(6)(d)** (with s. 144); S.R. 2022/54, art. 2(1)(a)
- F5** Sch. 1 para. 10(4)(ga) inserted (28.2.2022) by Environment Act 2021 (c. 30), s. 147(6)(7), **Sch. 3 para. 29(6)(e)** (with s. 144); S.R. 2022/54, art. 2(1)(a)

Commencement Information

- I1** Sch. 1 para. 10 not in force at Royal Assent, see **s. 147(3)**
- I2** Sch. 1 para. 10 in force at 17.11.2021 by S.I. 2021/1274, **reg. 2(i)**

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