
Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 8

DEPOSIT SCHEMES

Enforcement

- 5 (1) The relevant national authority may by regulations make provision about the enforcement of requirements under deposit schemes.
- (2) The provision that may be made under sub-paragraph (1) includes provision—
- (a) conferring functions (including functions involving the exercise of discretion) in connection with the enforcement of requirements under deposit schemes on specified persons (which may include scheme administrators);
 - (b) for such functions of such a person to be exercised on the person’s behalf by persons authorised in accordance with the regulations;
 - (c) requiring scheme suppliers, scheme collectors or scheme administrators to provide records and other information relating to deposit schemes to specified persons;
 - (d) for, about or connected with the imposition of civil sanctions in respect of failures to comply with relevant requirements, or the obstruction of or failure to assist a person having functions in connection with the enforcement of relevant requirements;
 - (e) for appeals against such sanctions;
 - (f) creating criminal offences punishable with a fine in respect of failures to comply with civil sanctions, or the obstruction of or failure to assist a person having functions in connection with the enforcement of relevant requirements;
 - (g) about such offences.
- (3) For the purposes of this paragraph “civil sanction” means a sanction of a kind for which provision may be made under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (fixed monetary penalties, discretionary requirements, stop notices and enforcement undertakings).
- (4) Regulations under sub-paragraph (1) may include provision for the imposition of sanctions of that kind whether or not—
- (a) the conduct in respect of which the sanction is imposed constitutes an offence,
 - (b) the person imposing them is a regulator for the purposes of Part 3 of the Regulatory Enforcement and Sanctions Act 2008, or
 - (c) the relevant national authority may make provision for the imposition of sanctions under that Part.
- (5) In this paragraph—

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“relevant requirement” means any requirement imposed by or under a deposit scheme or regulations under sub-paragraph (1);

“specified” means specified in, or determined in accordance with, regulations under sub-paragraph (1).

Commencement Information

- I1** Sch. 8 para. 5 in force at 9.1.2022 for E.W., see **s. 147(2)(d)**
I2 Sch. 8 para. 5 in force at 28.2.2022 for N.I. by S.R. 2022/54, **art. 2(1)(f)**

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