
STATUTORY INSTRUMENTS

2000 No. 1043

The Environmental Protection (Disposal of
Polychlorinated Biphenyls and other Dangerous
Substances) (England and Wales) Regulations 2000

PART V

MISCELLANEOUS

Offences and penalties

13.—(1) A person who holds any contaminated equipment in contravention of regulation 3 is guilty of an offence.

(2) A person—

- (a) who holds PCBs or equipment in contravention of paragraph (1) of regulation 4;
- (b) who, being the holder of PCBs or equipment to which sub-paragraph (b) of paragraph (2) of regulation 4 applies, fails to dispose of them in accordance with that sub-paragraph; or
- (c) who, being the holder of equipment, fails to decontaminate or dispose of that equipment—
 - [^{F1}(ia) in a case to which paragraph (3A) of regulation 4 applies, as soon as possible after the end of its useful life;
 - (ib) in a case to which paragraph (3C) of regulation 4 applies, as soon as possible after 31st December 2025;]
 - (ii) in a case to which paragraph (5) of regulation 4 applies, in accordance with paragraph (8) of that regulation;
 - (iii) in a case to which paragraph (9) of regulation 4 applies, as soon as possible after the end of the useful life of the other piece of equipment of which it is part,

is guilty of an offence.

(3) A holder of equipment who fails to comply with regulation 4(4)(d) or regulation 5 is guilty of an offence.

(4) A person who—

- (a) supplies information for the purposes of regulation 6(1) knowing it to be false or misleading in a material particular or recklessly supplies information which is false or misleading in a material particular;
- (b) fails without reasonable excuse to supply information in accordance with regulation 10(2) or a notice under regulation 10(4); or
- (c) supplies such information knowing it to be false or misleading in a material particular or recklessly supplies information which is false or misleading in a material particular,

is guilty of an offence.

(5) A person guilty of an offence under paragraph (1) or (2) shall be liable—

Changes to legislation: *There are currently no known outstanding effects for the The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000, Section 13. (See end of Document for details)*

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on indictment, to a fine or a term of imprisonment not exceeding two years, or both.
- (6) A person guilty of an offence under paragraph (3) or (4) shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on indictment, to a fine.

(7) Where an offence under any paragraph of this regulation 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.

(8) Where the affairs of a body corporate are managed by its members, paragraph (7) 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.

Textual Amendments

- F1** Reg. 13(2)(c)(ia)(ib) substituted for reg. 13(2)(c)(i) (1.7.2020) by [The Environmental Protection \(Disposal of Polychlorinated Biphenyls and other Dangerous Substances\) \(England and Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/489\)](#), regs. 1(2), **2(7)**

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