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STATUTORY INSTRUMENTS

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**2002 No. 425**

**ENVIRONMENTAL PROTECTION, ENGLAND**

**The Dog Fouling (Fixed Penalty) (England) Order 2002**

*Made* - - - - *24th February 2002*

*Laid before Parliament* *8th March 2002*

*Coming into force* - - *1st April 2002*

The Secretary of State, in exercise of the powers conferred upon her by section 88(7) of the Environmental Protection Act 1990(1), as applied by section 4(2) of the Dogs (Fouling of Land) Act 1996, and of all other powers enabling her in that behalf, hereby makes the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Dog Fouling (Fixed Penalty) (England) Order 2002 and shall come into force on 1st April 2002.

(2) This Order extends to England only.

**Amount of fixed penalty**

2. For the purposes of section 4 of the Dogs (Fouling of Land) Act 1996 (fixed penalty notices), for the amount of £25 specified as the amount of the fixed penalty in section 88(6) of the Environmental Protection Act 1990(2) substitute the amount of £50.

**Revocation**

3. Article 3 of the Dog Fouling (Fixed Penalties) Order 1996(3) (amount of fixed penalty) is revoked.

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(1) 1990 c. 43; the Secretary of State can exercise these powers only in relation to England: *see* section 53 of the Scotland Act 1998 (c. 46) and the entries in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) relating to the Environmental Protection Act 1990 and the Dogs (Fouling of Land) Act 1996 (c. 20).

(2) For the purposes of section 4 of the Dogs (Fouling of Land) Act 1996, the amount of the fixed penalty specified in section 88(6) of the Environmental Protection Act 1990 was increased from £10 to £25 by article 3 of the Dog Fouling (Fixed Penalties) Order 1996 (S.I. 1996/2763).

(3) S.I. 1996/2763.

24th February 2002

*Michael Meacher*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 4 of the Dogs (Fouling of Land) Act 1996 provides for the payment of a fixed penalty to discharge any liability to conviction for the offence of failing to remove dog faeces under section 3 of that Act. This Order, which applies to England only, increases the fixed penalty from £25 to £50.