
STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 10

Enforcement

Compliance notices

38.—(1) A “compliance notice” is a notice requiring a person to take specified steps within a specified period to secure that a contravention does not continue or recur.

(2) If the [^{F1}appropriate body] considers that a person has contravened or is contravening regulation 12(1), [^{F2}13(2)], 14(1) or 25 it may serve a compliance notice on that person.

(3) If a regulation authority considers that a person has contravened or is contravening section 1 of the 1989 Act it may serve a compliance notice on that person.

(4) A compliance notice must—

- (a) state the authority's reason for serving it;
- (b) specify the matters constituting the contravention;
- (c) specify the steps which must be taken to secure that the contravention does not continue or recur;
- (d) specify the period within which those steps must be taken;
- (e) give information as to the rights of appeal (including the period within which an appeal must be brought).

Textual Amendments

- F1** Words in regs. 37-40 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 4 para. 409](#) (with Sch. 7)
- F2** Word in reg. 38(2) substituted (1.10.2012) by [The Waste \(England and Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/1889\)](#), regs. 1(2), [2\(4\)](#)

Changes to legislation:

The Waste (England and Wales) Regulations 2011, Section 38 is up to date with all changes known to be in force on or before 21 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 16(3)(ba) substituted for reg. 16(3)(b) by [2023 c. 55 Sch. 8 para. 32](#)