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STATUTORY INSTRUMENTS

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**2012 No. 1150**

**ENVIRONMENTAL PROTECTION, ENGLAND**

**The Environmental Protection Act 1990 (Amendment  
of Fixed Penalty Amount) (England) Order 2012**

<i>Made</i>	- - - -	<i>21st April 2012</i>
<i>Laid before Parliament</i>		<i>10th May 2012</i>
<i>Coming into force</i>	- -	<i>30th May 2012</i>

The Secretary of State, as the appropriate person in relation to England for the purposes of exercising the power conferred by section 47ZB(6) of the Environmental Protection Act 1990<sup>(1)</sup>, makes the following Order in exercise of that power:

**Citation and commencement**

1. This Order—
  - (a) may be cited as the Environmental Protection Act 1990 (Amendment of Fixed Penalty Amount) (England) Order 2012; and
  - (b) comes into force on 30th May 2012.

**Amendment**

2. In section 47ZB of the Environmental Protection Act 1990 (amount of fixed penalty under section 47ZA), in subsection (2)(b) after “specified” insert—

“\_\_

- (i) is £60 in the case of a fixed penalty relating to the alleged commission in England of an offence under section 46, and
- (ii) in any other case”.

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<sup>(1)</sup> 1990 c. 43. Section 47ZB was inserted, in relation to England and Wales, by section 48 of the Clean Neighbourhoods and Environment Act 2005 (c. 16). Section 29(1A) (inserted by section 51 of the Clean Neighbourhoods and Environment Act 2005) defines “appropriate person”.

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**Status:** Point in time view as at 30/05/2012.

**Changes to legislation:** There are currently no known outstanding effects for the The Environmental Protection Act 1990 (Amendment of Fixed Penalty Amount) (England) Order 2012. (See end of Document for details)

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21st April 2012

*Taylor of Holbeach*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

## EXPLANATORY NOTE

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

This instrument amends section 47ZB(2)(b) of the Environmental Protection Act 1990 (c. 43) to reduce the amount payable for a fixed penalty given under section 47ZA from £100 to £60 in the case of a fixed penalty relating to the alleged commission in England of an offence under section 46 (receptacles for household waste) (article 2). In any other case the amount remains at £100.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

**Status:**

Point in time view as at 30/05/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Protection Act 1990 (Amendment of Fixed Penalty Amount) (England) Order 2012.