

SCHEDULE 3

Fines expressed as proportions

Part 2

Environmental Protection Act 1990 (c.43)

16.—(1) The Environmental Protection Act 1990 is amended as follows.

(2) In section 140 (power to prohibit or restrict the importation etc of injurious substances or articles), in subsection (10), for the words from “exceeding one-tenth of the level” to the end of the subsection substitute

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- (a) exceeding one-tenth of the level on the standard scale specified as the maximum penalty for the original offence, or
- (b) if there is no maximum penalty for the original offence, exceeding one-tenth of the greater of £5,000 or level 4 on the standard scale.”

(3) In section 141 (power to prohibit or restrict the importation or exportation of waste), in subsection (5)(g), for the words from “exceeding one-tenth of the level” to the end of the paragraph substitute

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- (i) exceeding one-tenth of the level on the standard scale specified as the maximum penalty for the original offence, or
- (ii) if there is no maximum penalty for the original offence, exceeding one-tenth of the greater of £5,000 or level 4 on the standard scale.”