

---

STATUTORY INSTRUMENTS

---

**2017 No. 1177**

**The Environmental Damage (Prevention and Remediation) (England) (Amendment) Regulations 2017**

**Amendment of regulation 11**

5.—(1) Regulation 11 is amended as follows.

(2) For paragraph (1) substitute—

“(1) If the damage caused is caused by an activity that does not require a permit or registration under the Environmental Permitting (England and Wales) Regulations 2016<sup>(1)</sup>, these Regulations are to be enforced in accordance with the provisions set out in the table in Schedule 2A.”.

(3) In paragraph (2)—

(a) in the words before the definitions, for “this regulation” substitute “Schedule 2A”;

(b) in the definition of “specified marine activity”, for paragraph (f) substitute—

“(f) an activity (other than any specified in paragraphs (a) to (e)) which—

(i) is carried out in the Scottish zone or in an area outside the Scottish zone, but nearer to any point on the baselines from which the breadth of the territorial sea adjacent to Scotland is measured than to any point on the baselines in any other part of the United Kingdom; and

(ii) relates to a matter which is a reserved matter by virtue of section D2 in Part 2 of Schedule 5 to the Scotland Act 1998 (oil and gas)<sup>(2)</sup>;

(g) an activity (other than any specified in paragraphs (a) to (e)) which—

(i) is carried out in the Welsh zone; and

(ii) relates to a matter which is a reserved matter by virtue of section D2 in Part D2 of Schedule 7A to the Government of Wales Act 2006 (oil and gas)<sup>(3)</sup>.”.

---

<sup>(1)</sup> S.I. 2016/1154.

<sup>(2)</sup> 1998 c. 46.

<sup>(3)</sup> 2006 c. 32; Schedule 7A was substituted by section 3 of the Wales Act 2017 (c. 4).