

SCHEDULE 3

Stop notices

Stop notices

1.—(1) The regulator may serve a stop notice on any person in accordance with this Schedule in relation to an offence under section 5 of the 2023 Act.

(2) A stop notice may only be served in a case falling within sub-paragraph (3) or (4).

(3) A case falling within this sub-paragraph is a case where—

(a) the person is carrying on the activity,

(b) the regulator reasonably believes that the activity as carried on by that person is causing, or presents a significant risk of causing, serious harm to any of the matters referred to in sub-paragraph (5), and

(c) the regulator reasonably believes that the activity as carried on by that person involves or is likely to involve the commission of an offence under section 5 of the 2023 Act by that person.

(4) A case falling within this sub-paragraph is a case where the regulator reasonably believes that—

(a) the person is likely to carry on the activity,

(b) the activity as likely to be carried on by that person will cause, or will present a significant risk of causing, serious harm to any of the matters referred to in sub-paragraph (5), and

(c) the activity as likely to be carried on by that person will involve or will be likely to involve the commission of an offence under section 5 of the 2023 Act by that person.

(5) The matters referred to in sub-paragraphs (3)(b) and (4)(b) are—

(a) human health,

(b) the environment (including the health of animals and plants).