

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(a), 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”.

21st April 2012

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

(a) 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”.

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.

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£4.00

E3327 05/2012 123327T 19585

ISBN 978-0-11-152381-0



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