

## SCHEDULES

### SCHEDULE 1

#### PARTICULAR PURPOSES FOR WHICH PROVISION MAY BE MADE UNDER ARTICLE 4

### PART II

#### SUPPLEMENTARY PROVISIONS

##### *Particular types of pollution*

**21.** The regulations may provide for specified provisions of the regulations to have effect in relation only to such environmental pollution as is specified.

##### *Determination of matters by enforcing authorities*

**22.** The regulations may make provision for anything which, by virtue of paragraphs 5 to 8, could be provided for by the regulations to be determined under the regulations by enforcing authorities.

##### *Imposition of conditions*

**23.** In connection with the determination of conditions as mentioned in paragraph 6(3)(a) the regulations may in particular provide—

- (a) for such conditions to be determined in the light of any specified general principles and any directions or guidance given under the regulations;
- (b) for such guidance to include guidance sanctioning reliance by an enforcing authority on any arrangements referred to in the guidance to operate to secure a particular result as an alternative to imposing a condition.

##### *Charging schemes*

**24.** The regulations may require any such scheme as is mentioned in paragraph 9 or 10 to be so framed that the fees and charges payable under the scheme are sufficient, taking one year with another, to cover such expenditure (whether or not incurred by the enforcing authority or other person to whom they are so payable) as is specified.

##### *Offences*

**25.—(1)** The regulations may provide for any such offence as is mentioned in paragraph 17 to be triable—

- (a) only summarily; or
  - (b) either summarily or on indictment
- (2) The regulations may provide for such an offence to be punishable—

*Status: This is the original version (as it was originally made).*

- (a) on summary conviction by—
  - (i) imprisonment for a term not exceeding such period as is specified (which may not exceed six months), or
  - (ii) a fine not exceeding such amount as is specified (which may not exceed £30,000), or both; or
- (b) on conviction on indictment by—
  - (i) imprisonment for a term not exceeding such period as is specified (which may not exceed five years), or
  - (ii) a fine,or both.

*Interpretation*

**26.** In this Schedule—

“public body” means a body established or constituted by or under a statutory provision;

“the regulations” means regulations under Article 4;

“specified” means specified in regulations under that Article.