
STATUTORY INSTRUMENTS

2011 No. 1543

The Environmental Protection (Controls on
Ozone-Depleting Substances) Regulations 2011

PART 2

Offences, penalties and enforcement

Enforcement

7.—(1) The Agency and the local authority enforce the EU Regulation.

(2) In relation to—

- (a) cases of a particular description; or
- (b) a particular case,

the Secretary of State, as regards England, the Welsh Ministers as regards Wales, the Scottish Ministers as regards Scotland, or the Department of the Environment as regards Northern Ireland, may direct that the EU Regulation be enforced by them instead.

(3) The Secretary of State enforces the EU Regulation in relation to offshore installations.

(4) Nothing in these Regulations authorises an enforcing authority to bring proceedings in Scotland for an offence.

(5) In this regulation—

“the Agency” means—

- (a) as regards England and Wales, the Environment Agency, and
- (b) as regards Scotland, the Scottish Environment Protection Agency;

“local authority” means—

- (a) in England, where there is, within the meaning of the Local Government Changes for England Regulations 1994(1), a unitary authority, that authority;
- (b) otherwise in England—
 - (i) a district council,
 - (ii) a London borough council,
 - (iii) the Common Council of the City of London, or
 - (iv) the Council of the Isles of Scilly;
- (c) in relation to Wales—
 - (i) a county council, or
 - (ii) a county borough council;

- (d) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽²⁾;
- (e) in relation to Northern Ireland, a district council.