

SCHEDULE 5

Article 4

Offences

In the following table—

“FMP” is a fixed monetary penalty;

“VMP” is a variable monetary penalty;

“CN” is a compliance notice;

“RN” is a restoration notice;

“SN” is a stop notice;

“EU” is an enforcement undertaking.

<i>Provision creating an offence</i>	<i>FMP</i>	<i>VMP</i>	<i>CN</i>	<i>RN</i>	<i>SN</i>	<i>EU</i>
Salmon and Freshwater Fisheries Act 1975(1)						
section 2(1)	No	Yes	No	No	No	No
section 2(2)	No	Yes	No	No	No	No
section 2(4)	No	Yes	No	Yes	Yes	Yes
section 4(1)	No	Yes	No	Yes	Yes	Yes
section 5(4)	No	Yes	No	Yes	Yes	Yes
section 9(2)	No	Yes	No	Yes	No	Yes
section 12(1)	No	Yes	No	Yes	Yes	Yes
section 12(3)	No	Yes	No	Yes	Yes	Yes
section 13(2)	No	Yes	No	Yes	Yes	Yes
section 14(8)	No	Yes	No	Yes	Yes	Yes
section 15(2)	No	Yes	No	Yes	Yes	Yes
section 18(1)	No	Yes	No	No	No	No
section 27	No	Yes	No	No	No	No
section 31(2)	No	Yes	No	No	No	No

(1) **1975 c. 51**; section 2(1) was amended by the Marine and Coastal Access Act 2009 (c. 23), section 216(1), (2)(a) and (b); section 2(2) was amended by the Marine and Coastal Access Act 2009, section 216(1), (3)(a) and (b); section 4(1) was amended by the Marine and Coastal Access Act 2009, section 321, Schedule 22, Part 5 (B); section 14(8) was substituted by the Environment Act 1995 (c. 25), section 105, Schedule 15, paragraph 13; section 15(2) was amended by the Environment Act 1995, section 105, Schedule 15, paragraph 14(2); section 27 was amended by the Marine and Coastal Access Act 2009, section 233(1), Schedule 16, paragraphs 1 and 11.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision creating an offence</i>	<i>FMP</i>	<i>VMP</i>	<i>CN</i>	<i>RN</i>	<i>SN</i>	<i>EU</i>
Salmon Act 1986(2)						
section 32	No	Yes	No	No	No	No
Environmental Protection Act 1990(3)						
section 33(6)	No	No	No	No	Yes	No
section 71(3)	No	Yes	No	No	No	No
Water Resources Act 1991(4)						
section 24(4)(a)	Yes	Yes	Yes	Yes	Yes	Yes
section 24(4)(b)	Yes	Yes	Yes	Yes	Yes	Yes
section 25(2)(a)	Yes	Yes	Yes	Yes	Yes	Yes
section 25(2)(b)	Yes	Yes	Yes	Yes	Yes	Yes
section 25C	No	Yes	No	No	No	No
section 80(1)	Yes	Yes	Yes	Yes	Yes	Yes
section 80(2)	Yes	Yes	Yes	Yes	Yes	Yes
section 161D	No	Yes	No	No	No	No
section 199(4)	No	Yes	No	No	No	No
section 201(3)	No	Yes	No	No	No	No

- (2) **1986 c. 62**; section 32 was amended by the Marine and Coastal Access Act 2009, sections 229 and 321, Schedule 22, Part 5(B).
- (3) **1990 c. 43**; section 33(6) was amended by the Environmental Permitting (England and Wales) Regulations 2007 (S.I.2007/3538), regulations 73, 74(2), Schedule 21, Part 1, paragraphs 2, 4(1), (5) and Schedule 23; section 71(3) was amended by the Clean Neighbourhoods and Environment Act 2005 (c. 16), section 46(2)(b) and by the Environment Act 1995, sections 112, 120, Schedule 19, paragraph 4(2) and Schedule 24.
- (4) **1991 c. 57**; section 25(2)(b) was amended by the Water Act 2003 (c. 37), sections 2(1), (3), 101(2) and Schedule 9, Part 1; section 25C was inserted by the Water Act 2003, section 30; section 80(1) was amended by the Environment Act 1995, section 120, Schedule 22, paragraph 141(a); section 80(2) was amended by the Environment Act 1995, section 120, Schedule 22, paragraphs 141(b) and (c); section 161D was inserted by the Environment Act 1995, section 120, Schedule 22, paragraph 162; section 199(4) was amended by the Water Act 2003, sections 8(1) and (5)(b); section 201(3) was substituted by the Water Act 2003, section 70; section 202(4) was amended by the Environment Act 1995, section 120, Schedule 22, paragraphs 128 and 172(1); section 206(1) was substituted by the Environment Act 1995, section 112, Schedule 19, paragraph 5(2) and was amended by the Water Act 2003, section 101(1), Schedule 7, Part 1, paragraphs 1 and 11; section 206(3A) was inserted by the Environment Act 1995, section 112, Schedule 19, paragraph 5(4); Schedule 20, paragraph 7 was amended by the Environment Act 1995, section 120, Schedule 22, paragraph 188.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision creating an offence</i>	<i>FMP</i>	<i>VMP</i>	<i>CN</i>	<i>RN</i>	<i>SN</i>	<i>EU</i>
section 202(4)	No	Yes	No	No	No	No
section 206(1)	No	Yes	No	No	No	No
section 206(3)	No	Yes	No	No	No	No
section 206(3A)	No	Yes	No	No	No	No
section 206(4)	No	Yes	No	No	No	No
Schedule 20, paragraph 7	No	Yes	No	No	No	No
Water Industry Act 1991(5)						
section 120(9)	Yes	Yes	Yes	Yes	No	Yes
section 130(7)	Yes	Yes	Yes	Yes	No	Yes
section 133(5)	No	Yes	No	Yes	No	No
section 135A(2)(a)	No	Yes	No	No	No	No
Land Drainage Act 1991(6)						
section 53(2)	No	Yes	No	No	No	No
section 64(6)	No	Yes	No	No	No	No
section 69(4)	No	Yes	No	No	No	No
Environment Act 1995(7)						
section 110(1)	No	Yes	No	No	No	No
section 110(2)(a)	No	Yes	No	No	No	No
section 110(2)(b)	No	Yes	No	No	No	No
section 110(2)(c)	No	Yes	No	No	No	No
section 110(3)	No	Yes	No	No	No	No

(5) [1991 c. 56](#); section 120(9) was substituted by the Environment Act 1995, section 120, Schedule 22, paragraph 105(4); section 130(7) was substituted by the Environment Act 1995, section 120, Schedule 22, paragraph 108(3); section 133(5) was substituted by the Environment Act 1995, section 120, Schedule 22, paragraph 111; section 135A(2)(a) was inserted by the Environment Act 1995, section 120, Schedule 22, paragraph 113.

(6) [1991 c. 59](#).

(7) [1995 c. 25](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision creating an offence</i>	<i>FMP</i>	<i>VMP</i>	<i>CN</i>	<i>RN</i>	<i>SN</i>	<i>EU</i>
Water Act 2003(8)						
section 4(4)	No	Yes	No	No	No	No