
WELSH STATUTORY INSTRUMENTS

2010 No. 1821

The Environmental Civil Sanctions (Wales) Order 2010

PART 2

Civil sanctions, notices and undertakings

Civil sanctions, notices and undertakings

- 3.—(1) Schedule 1 makes provision for fixed monetary penalties.
- (2) Schedule 2 makes provision for variable monetary penalties, compliance notices, restoration notices and third party undertakings.
- (3) Schedule 3 makes provision for stop notices.
- (4) Schedule 4 makes provision for enforcement undertakings.
- (5) Those terms not defined in the Regulatory Enforcement and Sanctions Act 2008 have the meanings specified in those Schedules.

Scope

4. Schedule 5 sets out the provisions creating the offences to which this Order relates.

Combination of sanctions

- 5.—(1) A regulator may not serve a notice of intent relating to a fixed monetary penalty if a variable monetary penalty has been imposed or a compliance notice, restoration notice or stop notice has been served on that person relating to the same act or omission.
- (2) A regulator may not serve a notice of intent relating to a variable monetary penalty, compliance notice or restoration notice, or serve a stop notice, on any person if, in relation to the same act or omission—
- (a) a fixed monetary penalty has been imposed on that person, or
 - (b) that person has discharged liability for a fixed monetary penalty following service of a notice of intent to impose that penalty.