STATUTORY INSTRUMENTS

2015 No. 815

ENVIRONMENTAL PROTECTION, ENGLAND

The Environmental Protection (Anglers' Lead Weights) (England) Regulations 2015

Made - - - -	*19th March 2015*
Laid before Parliament	*23rd March 2015*
Coming into force - -	*1st July 2015*

The Secretary of State, in accordance with section 140(1) of the Environmental Protection Act 1990 ("the 1990 Act")(**1**), considers it appropriate to make these Regulations for the purpose of preventing the article specified in regulation 3(1) from causing harm to the health of animals.

The Secretary of State has, in accordance with section 140(6) of the 1990 Act(**2**)—

consulted persons appearing to her to represent persons whose activities are likely to be prohibited or restricted by these regulations;

(1) published in the London Gazette a notice as required by section 140(6)(b) indicating the effect of the proposed regulations; and

(2) considered the representations made to her in accordance with the notice.

The Secretary of State is designated in relation to the environment(**3**) for the purposes of section 2(2) of the European Communities Act 1972(**4**). The Secretary of State makes these Regulations in exercise of the powers conferred by that section and section 140(1)(c), (2), (3)(d) and (9) of the 1990 Act.

Citation, extent, application and commencement

1.—(1) These Regulations may be cited as the Environmental Protection (Anglers' Lead Weights) (England) Regulations 2015.

(2) These Regulations extend to England and Wales but apply in England only.

(3) They come into force on 1st July 2015.

(**1**) 1990 c. 43. The requirement to consult the Advisory Committee on Hazardous Substances formerly established under section 140(5) of the Environmental Protection Act 1990 was removed by S.I. 2012/1923.
(**2**) Section 140(6) was amended by S.I. 2012/1923.
(**3**) S.I. 2008/301.
(**4**) 1972 c. 68. Section 2(2) was amended by s.27(1) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008.

Interpretation

2. In these Regulations—

"lead" includes any alloy or compound of lead;

"lead weight" means split shot or any other thing suitable for weighing fishing lines and which is neither incorporated and fully enclosed in the core of a fishing line nor incorporated in the construction of the swim-feeder, a self-cocking float or a fishing fly; and

"supply" does not include supply for or by way of export.

Prohibition of supply of lead in the form of weights

3.—(1) Subject to regulation 4, the supply of lead in the form of a lead weight for the purpose of weighting fishing lines is prohibited.

(2) Unless the contrary is shown, a person supplying split shot is presumed to supply it for the purpose of weighting fishing lines.

(3) A person who contravenes paragraph (1) commits an offence.

Exceptions

4. Regulation 3(1) does not prohibit the supply of a lead weight of 0.06 grams or less, or a lead weight of more than 28.35 grams.

Penalty

5.—(1) Paragraph (2) applies if section 85(2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**5**) is in force on the day on which these Regulations are made.

(2) A person guilty of an offence under regulation 3 is liable on summary conviction to a fine.

(3) Paragraph (4) applies if section 85(2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is not in force on the day on which these Regulations are made.

(4) A person guilty of an offence under regulation 3 is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Revocations

6. The following Regulations are revoked—

(1) the Control of Pollution (Anglers' Lead Weights) Regulations 1986 (**6**); and

(2) the Control of Pollution (Anglers' Lead Weights) (Amendment) Regulations 1993(**7**).

de Mauley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

19th March 2015

(**5**) 2012 c. 10.
(**6**) S.I. 1986/1992, amended by the Criminal Justice Act 1988 (c. 33), section 51 and by S.I. 1993/49.
(**7**) S.I. 1993/49.