WELSH STATUTORY INSTRUMENTS

2004 No. 909 (W.92)

ENVIRONMENTAL PROTECTION, WALES

The Litter and Dog Fouling (Fixed Penalty) (Wales) Order 2004

Made - - - -	*24th March 2004*
Coming into force - -	*1st April 2004*

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by section 88(7) of the Environmental Protection Act 1990(**1**), and by that provision as applied by section 4(2) of the Dogs (Fouling of Land) Act 1996(**2**), which powers are now exercisable by the National Assembly in relation to Wales(**3**), hereby makes the following Order:

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Litter and Dog Fouling (Fixed Penalty) (Wales) Order 2004 and comes into force on 1st April 2004.

(2) This Order extends to England and Wales only and applies only in relation to Wales.

Amount of fixed penalty

2. In section 88(6) of the Environmental Protection Act 1990 (which specifies the fixed penalty for leaving litter and which is additionally applied by section 4(2) of the Dogs (Fouling of Land) Act 1996)—

(a) after the amount specified for England there is inserted "or, in Wales, £75", and

(b) any surviving reference to £25 is hereby repealed.

Revocation

3.—(1) The Litter (Fixed Penalty) Order 1996(**4**) is revoked in relation to Wales.

(2) Article 3 of the Dog Fouling (Fixed Penalties) Order 1996(**5**) (amount of fixed penalty) is revoked in relation to Wales.

(**1**) 1990 c. 43.
(**2**) 1996 c. 20.
(**3**) The powers of the Secretary of State, insofar as exercisable in relation to Wales, have been transferred to the National Assembly for Wales: see Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672.
(**4**) S.I. 1996/3055.
(**5**) S.I. 1996/2763.