STATUTORY INSTRUMENTS

2026 No. 816

ENVIRONMENTAL PROTECTION, ENGLAND AND WALES

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2026

Made - - - -	*14th July 2026*
Laid before Parliament	*15th July 2026*
Coming into force - -	*1st September 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 33ZA(10A) and 97A of the Environmental Protection Act 1990 (and for section 97A, the Secretary of State is, for England, the appropriate person as defined in section 98(1A)(a) of that Act)(**a**).

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2026 and come into force on 1st September 2026.

(2) These Regulations extend to England and Wales.

(3) These Regulations apply in relation to England.

Amendment of the Environmental Offences (Fixed Penalties) (England) Regulations 2017

2.—(1) The Environmental Offences (Fixed Penalties) (England) Regulations 2017(**b**) are amended as follows.

(2) For regulation 5 substitute—

> **"Penalty range: litter, distribution of printed matter, graffiti and fly-posting: 1st April 2019 onwards**
>
> **5.**—(1) The amount of a fixed penalty capable of being specified by a principal litter authority under section 88(6A)(a) of the Environmental Protection Act 1990 is not less than £65 and not more than £750.
>
> (2) The amount of a fixed penalty capable of being specified by a principal litter authority under paragraph 7(4)(a) of Schedule 3A to that Act is not less than £65 and not more than £150.

(**a**) 1990 c. 43. Section 33ZA was inserted by regulation 2(2) of S.I. 2016/334 and amended by section 69(2)(b) of the Environment Act 2021 (c. 30) . Section 97A was inserted by section 24 of the Clean Neighbourhoods and Environment Act 2005 (c. 16). The definition of "appropriate person" was inserted by section 26 of that Act.

(**b**) S.I. 2017/1050 as amended by S.I. 2023/770.

(3) The amount of a fixed penalty capable of being specified by a relevant local authority under section 43A(1)(a) of the Anti-social Behaviour Act 2003 is not less than £65 and not more than £500.".

Amendment of the Environmental Protection Act 1990

3.—(1) The Environmental Protection Act 1990(**a**) is amended as follows.

(2) In section 33ZA(9)(a), for "£1000" substitute "£5000".

Emma Reynolds
Secretary of State
14th July 2026 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Environmental Offences (Fixed Penalties) (England) Regulations 2017 (S.I. 2017/1050) and the Environmental Protection Act 1990 (c.43).

Regulation 2 substitutes regulation 5 of the Environmental Offences (Fixed Penalties) (England) Regulations 2017 to increase, in relation to littering, the upper limit of the amount of a fixed penalty that may be specified by a principal litter authority from £500 to £750.

Regulation 3 amends section 33ZA(9)(a) of the Environmental Protection Act 1990 to increase the upper limit of the amount of a fixed penalty that may be specified for a waste deposit offence from £1000 to £5000.

A full regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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(**a**) 1990 c. 43. Section 33ZA(9)(a) was amended by regulation 3(2) of S.I. 2023/770

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