

## Permit applications and relevant convictions

You must tell us in your application for an environmental permit if you, or any other relevant person, have been convicted of any offence under the legislation listed below; this is called a relevant offence.

### **Relevant persons**

A relevant person is a person connected to the applicant:

- For companies and other corporate bodies this includes:
  - the company itself;
  - the officers of the company (director, manager, secretary or similar officer);
  - other companies, when the officers of the company were officers of that other company when they were convicted.
- For partnerships this includes:
  - the individual partners;
  - business partners, where the offence was committed in the course of their business.
- For individuals this includes:
  - the individual;
  - companies for which the individual is an officer (director, manager, secretary or similar officer).

### **Relevant offences**

Offences that are 'relevant' are indicated in the [table](#) below. You do not need to tell us about any 'spent convictions' covered by the Rehabilitation of Offenders Act 1974, which applies to individuals. If during our checks we discover a relevant conviction against you which you have not told us about in your application, we may refuse your application. In any case we will contact you again which will delay our determination of your application.

### **What happens when we receive your application if you have, or a relevant person has, a relevant conviction?**

We may refuse an application if we consider you/another relevant person are not competent i.e. unable or unwilling to comply with the conditions. Reasons we may consider you are not able or willing to comply with permit conditions include relevant convictions. We may also refuse your application if you or another relevant person if you have given us incomplete or false information. We will not refund your application fee. If we do refuse your application, or if we take longer than two months to determine it without getting your agreement, you can appeal to the Secretary of State.

### **List of relevant offences**

This table is correct at the time that this document was issued. Subsequent legislation may change the relevant offences, at which point this table will be inaccurate. As a result, this table is not intended as a definitive or authoritative statement of the law.

Convictions for offences highlighted **yellow** are only relevant after 07/08/14.

<b>Offence</b>
Control of Major Accident Hazards Regulations 1999
Control of Major Accident Hazards Regulations 2015
Control of Pollution (Amendment) Act 1989: Section 1, 5 or 7
Customs and Excise Management Act 1979: Section 170 and 170B (for environmental/metal theft related offences only)
Environment Act 1995: Section 110
Environmental Permitting (England and Wales) Regulations 2007: Regulation 38
Environmental Permitting (England and Wales) Regulations 2010: Regulation 38
Environmental Protection Act 1990: Section 33, 34, 34B and 59
Food and Environment Protection Act 1985: Section 9
Fraud Act 2006: Section 1 (for environmental/metal theft related offences only)
Hazardous Waste (England and Wales) Regulations 2005
Hazardous Waste (Wales) Regulations 2005
<b>Legal Aid, Sentencing and Punishment of Offenders Act 2012: Section 146</b>
Pollution Prevention and Control (England and Wales) Regulations 2000
Proceeds of Crime Act 2002: Sections <b>327, 328</b> , 329, 330, 331 & 332 (for environmental/metal theft related offences only)
Producer Responsibility Obligations (Packaging Waste) Regulations 2007
Scrap Metal Dealers Act 1964 (for environmental/metal theft related offences only)
Scrap Metal Dealers Act 2013 (for environmental/metal theft related offences only)
Theft Act 1968: Sections 1, 8, 9, 10, 11, 17, 18, 22 & 25 (for environmental/metal theft related offences only)
Transfrontier Shipment of Waste Regulations 1994
Transfrontier Shipment of Waste Regulations 2007
<b>Vehicles (Crimes) Act 2001: Part 1</b>
Waste Electrical and Electronic Equipment Regulations 2006
<b>Waste Electrical and Electronic Equipment Regulations 2013</b>
Waste (England and Wales) Regulations 2011: Regulation 42
Water Resources Act 1991: Section 85, 202 or 206

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