

Environmental Protection Bill Consultation

Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eiriny's,



Closes 7 Aug 2025

Opened 12 Jun 2025

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Overview

The Department of Environment, Food and Agriculture is seeking views from stakeholders and the public regarding the introduction of the Environmental Protection Bill ('the Bill'). We are seeking views on the proportionality of the proposed legislative approach and environmental policies.

The Bill aims to allow environmental protection measures to be developed for industrial operations—both onshore and offshore. The objective is to safeguard the natural environment and public health from human impacts, promote environmental maintenance and restoration, ensure ongoing environmental monitoring and assessment, as well as reporting of protection efforts.

The Bill will provide the necessary powers ('vires') for the adoption and application of proposed environmental regulations equivalent to those used in the UK. This will enable a regulatory framework to be developed for managing the environmental impacts of onshore and offshore industrial operations.

The Bill will not seek to promote offshore energy activities but is intended to ensure that the Isle of Man has a proportional legal framework for the protection of the environment from any such activities if they take place, and that the Island can comply fully with international obligations and standards in this area.

The Isle of Man is obliged under international agreements to comply with and implement international standards. These international agreements include:

- OSPAR – protection of the marine environment - addresses every stage of an installations lifecycle, including discharges, noise, use of chemicals, pollution protocols
- Minimata Convention – addresses mercury releases
- Stockholm Convention – prohibits use of persistent organic pollutants
- Basel Convention – management of waste and international movements
- Vienna Convention – fluorinated gas uses and ozone depleting substances
- European Convention – Long Range Transboundary Air Pollution

Feedback and summaries of responses will be made available within 12 weeks of this consultation closing (October 2025), on the consultation webpage.

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Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all.

We will take steps to accommodate any reasonable adjustments and provide such assistance as you may reasonably require to enable you to access or reply to this consultation.

If you would like to receive this document in another format or need assistance with accessing or replying to this consultation, please email EnvironmentalProtection@gov.im or telephone +44 1624 685535.

Responding to this consultation and questions

You can respond to this consultation online by clicking on the 'Online Survey' link below. Alternatively you can download a paper version of this consultation in the 'Related' section below and email it to EnvironmentalProtection@gov.im

Give us your views »

Introduction

Background

The current Island Plan (2021-2026) ([opens in a new tab](#)) has an action for updated Environmental Protection Policies and associated legislation to ensure decisions are made to provide a clean and safe environment.

Isle of Man waste regulations sit under the Public Health Act 1990. This primary legislation was developed using the UK Control of Pollution Act 1974. Over the past 35 years, both industry and waste have significantly changed leading to the UK and other jurisdictions growing a wide range of environmental protection legislation. The Isle of Man has not advanced its legislation in this domain, thereby remaining out of alignment with international emissions controls, waste management regulations, environmental protection requirements, and its corresponding international obligations.

The primary purpose of the proposed legislation is to regulate the Government's waste strategy, introduce international waste definitions and apply environmental protection standards to protect the air, water and land from pollution. The environmental protection standards should apply to all industries which pose an environmental risk within our jurisdiction, be they on island or in the Isle of Man territorial seas.

The proposed strategy is to bring the Islands environmental protection regulations in line with the UK standards where deemed reasonable and proportionate.

Scope

Onshore and offshore environmental protection policies and legislation are to be updated to provide an environment we can be proud of now and in the future. Renewed policies and updated legislation will provide an opportunity for the island to manage its waste, emissions and environmental risks in line with best available international standards. The intention is to deliver legislation and policies by reviewing risks posed and applying regulation where it is necessary and proportionate.

Many waste streams, industrial emissions and environmental risks have changed since the last Isle of Man primary legislation was approved by Tynwald (Public Health Act 1990). Industrial growth and development over the past 50 years has resulted in waste and emissions being significantly changed, therefore, the scope of this proposed legislation has been developed to tackle our current wastes, emissions and pollutants, and using the precautionary principle, mitigate and limit environmental risks arising from current industrial and waste operations. The goal is to deliver legislation that sustainably manages waste and emissions to provide an environment we can be proud of and an Island that is fit for future generations.

Objectives

The objective of the Bill is to introduce legislation that:

1. Establishes internationally recognized regulations and standards for environmental protection to safeguard the island now and for future generations
2. Facilitates the sustainable development of offshore energy by creating a clear regulatory environmental protection framework for future developments including offshore wind
3. Amends the Water Pollution Act 1993, Part 2, to align with international commitments under the OSPAR Convention and the London Protocol, addressing emerging environmental challenges in water pollution control
4. Introduces the Polluter Pays Principle by ensuring that those responsible for environmental harm are financially accountable for the costs of remediation and mitigation, reinforcing sustainability and fairness

About you

1. Which option best describes your interest in responding to this consultation?

- ☐ Member of public
- ☐ Isle of Man Government
- ☐ Business owner or Stakeholder
- ☐ Member of Tynwald
- ☐ Other (please specify)

Other:

2. Are you responding on behalf of an organisation or industry?

- ☐ Yes
- ☐ No

Organisation / industry:

Number of people or
organisations represented:

3. May we publish your response?

Please read our Privacy Policy for more details and your rights.

More Information:

Publish in full – your organisation name, or the industry you represent, along with full answers will be published on the hub (your email will not be published)

Publish anonymously – only your responses will be published on the hub (your organisation name, or the industry you represent, and email will not be published)

Do not publish – nothing will be published publically on the hub (your response will only be part of a larger summary response document)

(An answer is required)

- ☐ Yes, you can publish my response in full
- ☐ Yes, you may publish my response anonymously
- ☐ No, please do not publish my response

Questions

A robust set of regulations governing environmental protection for onshore and offshore industrial activities is required to protect the environment and mitigate impacts from these operations, ensuring sustainable management.

Current sources of primary legislation in the Isle of Man do not contain vires that will enable modern and proportionate regulatory environmental framework to be developed. It is for this reason that new primary legislation needs to be enacted to facilitate the necessary secondary regulations. This primary legislation takes the form of an Environmental Protection Bill with four main objectives.

The objective of the Bill is to introduce legislation that will deliver:

1. Internationally recognized regulations and standards for environmental protection
2. Regulatory environmental protection framework for offshore wind farm development
3. Alignment of the Water Pollution Act, Part 2 with international commitments under the OSPAR Convention and the London Protocol
4. Introduce the Polluter Pays Principle for waste, emissions and pollution

Further information about the secondary legislation that will be enabled through the vires in this bill are supplied as supporting information and can be read in the accompanying document (Supporting Information).

Objective 1: Establish internationally recognized regulations and standards for environmental protection to safeguard the island now and for future generations

The legislation should reflect an equivalent level of environmental protection by DEFA as is provided in comparable jurisdictions to provide a comprehensive framework to ensure protection of the environment.

Once the Bill is enacted, it is anticipated that this new primary legislation will then provide a route under which secondary legislation will be enacted, covering what are currently perceived to be gaps in the environmental protection regulatory framework. For the basis of this Bill, the Isle of Man is looking to align with the UK position where it is proportionate and reasonable to take such an approach. There is a recognition, however, that what may be appropriate in the UK where there is a mature and vast industry at various stages of exploitation, production, and decommissioning, may not always be appropriate in respect of an Isle of Man operation. The regulatory response should be proportionate to the level of environmental risk and possible impacts, as well as operator performance.

4. Do you agree that the Isle of Man should align with the UK regulatory position for environmental protection associated with industrial operations, where it is proportionate and reasonable to take such an approach?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

5. Do you agree that regulation of waste and hazardous wastes are best aligned with UK legislation to provide environmental protection and meet international standards?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

6. Do you agree that measures should be developed to improve reuse and recycling in line with the waste hierarchy and waste disposal efficiencies, including environmental targets for waste minimisation and waste prevention plans?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

7. Do you agree that the Island should produce a waste strategy and management plan for all types of waste generated across the island (including for offshore industries)?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

8. Do you agree that the government should develop re-use and recycling targets for waste reduction to align with the Climate Change Plan and Waste Strategy via adoption of the waste hierarchy?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

9. Do you agree that definitions and standards should be developed to allow for some wastes to be defined as by-products or end of waste to encourage resource sustainability and minimise waste?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

10. Do you agree that landfills should be designed, constructed and managed in accordance with the type of waste they receive? Any new landfill shall not be a dilute and disperse landfill site.

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

11. Do you agree that waste acceptance criteria should be implemented to identify a standard for which wastes should be treated or deposited in landfills to maximise resource protection and minimise environmental hazards?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

12. Do you agree that agricultural waste should be managed under the same regulatory framework as all other wastes including industrial, commercial and household waste, when it is hazardous, mixed with other waste or improperly managed?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

13. Do you agree that provisions should be put in place for regulators to take action to prevent or mitigate pollution through project design and operational permits for industrial installations onshore and offshore?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

14. Do you agree that industrial operations should employ best available technologies when being designed, equipped, and operated to minimise emissions?

You can read more about best available technologies in the Offshore Pollution Prevention and Control (PPC) Guidance on the UK Government Website.

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

15. Do you agree that unplanned discharges or emissions can cause severe environmental damage and regulations are required to ensure that companies implement robust safety measures to prevent incidents, and emergency response protocols to manage such incidents?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

Objective 2: Facilitate the sustainable development of offshore energy by creating a clear regulatory environmental protection framework for future developments including offshore wind

Environmental protection measures are to be put in place to mitigate potential risks from pollution, emissions, and chemical use associated with offshore wind and other marine installations. Operators should be required to manage and, where feasible, substitute harmful chemicals with less hazardous alternatives, aligning with best environmental practices. Emissions and discharges from offshore installations must be closely monitored, reported, and controlled in accordance with suggested regulatory standards (UK Offshore Chemicals Regulations (2005)). Waste generated during construction, operation, and maintenance must be handled responsibly and disposed of in a safe, sustainable manner. Additionally, developers should be obligated to submit and implement decommissioning plans, ensuring that offshore infrastructure is removed at the end of its operational life and that environmental impacts are minimized. These plans must address pollution prevention, site restoration, and long-term environmental protection.

16. Do you agree that regulation controls should be developed for the use and discharge of chemicals in offshore installations, requiring operators to assess the toxicity, persistence, and bioaccumulation potential of chemicals before use?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

17. Do you agree that offshore developments must demonstrate adherence to ecological standards to minimize habitat disruption and other adverse environmental impacts?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

18. Do you agree that emergency plans should be developed setting out arrangements for responding to and reporting on incidents which cause, or may cause harm?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

19. Do you agree that decommissioning of installations should be planned from the beginning to allow sustainable end of life waste disposal and the environment to be restored?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

Objective 3: Amend the Water Pollution Act 1993, Part 2, to align with international commitments under the OSPAR Convention and the London Protocol, addressing emerging environmental challenges in water pollution control

OSPAR (the Oslo-Paris Convention for the Protection of the North-East Atlantic) is an international environmental treaty aimed at safeguarding the marine environment of the North-East Atlantic. It brings together 15 contracting parties, including countries bordering the North-East Atlantic, to coordinate efforts in preventing marine pollution and promoting sustainable management of marine resources. The convention covers a wide range of issues, such as reducing hazardous substances in the ocean, protecting marine biodiversity, and addressing climate change impacts. Through OSPAR there is a focus on reducing pollution from land-based sources, shipping, and offshore activities like oil and gas extraction.

The London Protocol is an international treaty designed to protect the marine environment by regulating the dumping of waste at sea. The Protocol establishes strict controls on marine pollution by prohibiting the disposal of certain hazardous substances and limiting the types of waste that can be dumped into the sea. It focuses on preventing pollution from ships, offshore installations, and other sources, and promotes environmentally sound waste management practices. The Protocol encourages the use of alternative disposal methods and requires the use of best available technologies to reduce environmental impact.

The two treaties collaborate to safeguard the marine environment. As a signatory, the UK extends its obligations to its Crown dependencies. Our international commitments will be upheld through the inclusion of duties under Part 2 of the Water Pollution Act 1993. This Bill aims to grant the necessary authority to implement these amendments to the Water Pollution Act 1993.

20. Do you agree that the control of use and discharge of chemicals from offshore installations should be managed in accordance with international agreements?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

21. Do you agree that any waste deposits at sea should be conducted in line with international standards designed to protect the ecosystem and management of healthy seas?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

Objective 4: The Bill is intended to provide a framework for pollution response and enforcement to minimise pollution impacts and to prevent long term environmental harm from such incidents. Where possible the cost of pollution should be borne by those causing it.

The proposed Bill introduces the Polluter Pays Principle, a fundamental concept in international environmental law that ensures those responsible for causing environmental harm are held financially accountable for the costs associated with the remediation and mitigation of that damage. By embedding this principle into law, the Bill seeks to create a clear and fair system where polluters bear the full cost of restoring and protecting the environment, rather than burdening taxpayers or communities with the financial responsibility. This legislative measure is designed to promote long-term sustainability by incentivising businesses and individuals to minimise environmental impact, while fostering greater accountability and fairness in the management of natural resources. The Bill aligns economic incentives with environmental stewardship, reinforcing the idea that responsible parties must address the full costs of their actions, ultimately leading to a cleaner, healthier environment for all.

For offshore energy projects including offshore wind farms this principle ensures that developers and operators of these projects are financially responsible for any environmental damage caused during construction, operation, or decommissioning. Offshore wind farms, while a key part of the transition to renewable energy, can have significant impacts on marine ecosystems, such as disturbances to seabeds, marine life, and local habitats. Under this Bill, operators would be required to cover the costs of mitigating these impacts, as well as funding the restoration of any damage caused. This includes ensuring that any waste from decommissioning wind turbines is properly managed, and that the long-term health of marine environments is safeguarded.

22. Do you agree that the 'polluter pays principle' should be employed, which requires those with permits to demonstrate financial capability to pay for any remediation or clean-up activities caused by their actions?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

23. Do you agree that there should be provisions made for enforcement powers for operators who fail to comply with permit conditions and enforcement for non-permitted discharges?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

24. Do you agree that the regulator should be able to charge operators fees to cover the cost of compliance monitoring and management?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

25. Do you agree that environmental breaches of emissions permits should be subject to strict sanctions to ensure compliance and to protect the environment?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree

Other comments and feedback

26. Are there any other environmental policies relevant to protecting the island that have not been mentioned here that you think are relevant?

☐ Yes

☐ No

If 'yes' please provide details:

27. If you have any further comments, please provide them below.

Further comments and feedback: